

STATE REPORTER

Box 749
Helena, Montana

KATHERINE ORCHARD

LEGISLATIVE REVIEW

1971

CHAPTER 1.....relates to the organization and procedures of
HB 2 the Forty-second Legislative Assembly; pre-
scribes duties and compensation of employees.

Introduced by
Harrison and others Effective upon passage and approval. Jan. 12.

CHAPTER 2.....the "Montana Higher Education Act", provides
SB 2 for the codification and revision of the laws
pertaining to higher education, including the
Montana University System.

Introduced by
James

For R.C.M. sections repealed and added see
Title 75, in Sections amended, repealed and
added.

Effective upon passage and approval. Jan. 18.

CHAPTER 3.....authorizes and directs the Attorney General
SB 6 of Montana on behalf of the Legislative Assembly
and the Secretary of State to institute a de-
claratory judgment action in the Montana Supreme
Court to determine certain constitutional ques-
tions affecting the constitutional convention
and the eligibility of persons to be delegates
to such constitutional convention.

Introduced by
McDonald and
others

Effective on passage and approval. Jan. 18.
Repealed June 30, 1973.

CHAPTER 4.....increases to \$25.00 from \$15.00 per day the
HB 28 reimbursement for expenses allowed members of
the Legislative Assembly and makes the increase
effective for the Forty-second session and all
sessions thereafter.

Introduced by
Fasbender and
others

Amends § 43-310.
Effective upon passage and approval. Jan. 21.

CHAPTER 5.....provides for the codification and general re-
SB 1 vision of laws relating to the public schools.

Introduced by
James Amends § 10-307.
For sections repealed and added see Title
75 in Sections amended, repealed and added.
Effective upon passage and approval. Jan. 26.

Legislative Review 1971

CHAPTER 6.....changes the time for filing annual reports of
SB 17 domestic and foreign corporations from the
first of March to the fifteenth of April.

Introduced by
Moore

Amends § 15-22-119.
No effective date.*

Jan. 26.

CHAPTER 7.....the "Territorial Integrity Act of 1971," pre-
HB 5 scribes certain rights and enforcement thereof
with respect to the furnishing of electric
service, allows the electric supplier having
a line nearest certain premises to supply such
premises initially requiring service after the
effective date of the Act and amends the defi-
nition of "rural area" which cooperatives can
serve to include "every incorporated municipi-
pality in which 95% or more of the premises
are served by an electric cooperative on the
effective date" of the Act.

Introduced by
Asbjornson
and others

Amends §§ 14-502, 14-530.
Effective on passage and approval. Feb. 1.

CHAPTER 8.....relates to restrictions on methods of catching,
SB 5 possession and sale of fish, allows the use of
traps, seines, nets, and rubber or spring pro-
pelled spears by sportsmen swimming or submerged
in water for the taking of fish designated by
the fish and game commission, rather than just
nongame fish.

Introduced by
Drake

Amends § 26-332.
No effective date. Feb. 1.

CHAPTER 9.....validates all joint tenancies created without
SB 15 any transfer or conveyance to or through a
third person prior to July 1, 1963, the effective
date of the statute allowing the creation of
such joint tenancies.

Introduced by
Moore and
others

Amends § 67-1602.1.
No effective date. Feb. 1.

CHAPTER 10.....relates to per diem allowances for state
SB 30 employees, allowing \$30.00 per day for travel
within the District of Columbia.

Introduced by
Hibbard and
Lynch

Amends § 59-538.
No effective date. Feb. 1.

CHAPTER 11.....relates to the sale of surplus state property,
HB 24 and requires that the sale of highway equipment

*R.C.M. 1947, § 43-507, July 1 of year of passage.

Legislative Review 1971

Introduced by Whitney and others shall be by public auction or sealed bids and the proceeds from such sales of highway equipment shall be placed in the earmarked revenue fund to the credit of the highway commission.

Amends § 82-1914.

Effective upon passage and approval. Feb. 2.

CHAPTER 12.....corrects errors in reference citations in
HB 77 special fuel tax laws; deletes reference to § 84-1802 in § 84-1832 and inserts therefor § 84-1847; in § 84-1833 deletes reference to § 84-1932.1 and inserts therefor § 84-1832.1.

Introduced by Dye

Amends §§ 84-1832, 84-1833.

Effective upon passage and approval. Feb. 2.

CHAPTER 13.....a housekeeping bill in reference to gasoline
HB 78 dealers' license taxes; deletes from the definition section 84-1846(7)(b) the words "and no refund shall be allowed of that portion of the tax per gallon upon aviation gasoline allocated to the state aeronautics commission by section 1-501, R.C.M. 1947" and adds such words to § 84-1855, the procedure section of said gasoline license tax laws.

Introduced by Dye

Amends §§ 84-1846, 84-1855.

Effective upon passage and approval. Feb. 2.

CHAPTER 14.....requires 60 days written notice by insurers
HB 103 of intent to cancel or raise premium rates on professional liability insurance policies issued to doctors, dentists, registered nurses, psychologists, osteopaths, chiropractors, pharmacists, optometrists, veterinaries or hospitals as employers of such persons.

Introduced by Ulmer and others

No effective date.

Feb. 2.

CHAPTER 15.....provides an alternative tax for nonresident
HB 127 income taxpayers; allows an alternative tax based on gross sales to conform with the Multi-state Tax Compact; allows nonresident taxpayers whose only activity in Montana consists of making sales not exceeding \$100,000 to elect to pay an income tax of 1/2 of 1% of the dollar volume of such gross sales during the taxable year in lieu of taxes imposed under sections 84-4902 and 84-4902.1; effective for taxable years beginning on and after Jan. 1, 1971.

Introduced by Fasbender and others

Amends § 84-4903.

Effective upon passage and approval. Feb. 2.

Legislative Review 1971

CHAPTER 16.....allows an alternative corporation license
HB 128 tax based on gross sales to conform with the
Multistate Tax Compact; allows corporations
Introduced by whose only activity in Montana consists of
Fasbender and making sales not exceeding \$100,000 gross
others volume during the taxable year to elect to pay
a tax of 1/2 of 1% of such gross sales in lieu
of tax otherwise provided for; adds a corrective
statutory reference.

Amends § 84-1501.
Effective for taxable years
beginning on and after Jan. 1, 1971. Feb. 2.

CHAPTER 17.....relates to the disposition, sale, lease, mort-
SB 44 gaging and pledging of electric and telephone
cooperatives; permits boards of trustees of such
cooperatives to secure any indebtedness of the
Introduced by cooperative to financing sources other than the
Thiessen and U.S. Government; permits the boards, upon author-
others ization of a majority of the members, to sell,
lease or otherwise dispose of all or a portion
of its property to another cooperative or foreign
corporation pursuant to the Act under which the
cooperative is incorporated.

Amends § 14-521.
Effective upon passage and approval. Feb. 9.

CHAPTER 18.....permits the Highway Patrol to establish temporary
SB 50 roadblocks for the purpose of checking drivers'
licenses.

Introduced by
Lynch and Amends § 95-618.
Turnage No effective date. Feb. 9.

CHAPTER 19.....relates to plats of cities and towns and addi-
SB 63 tions thereto; removes from section setting out
what a plat must contain the authority to waive
park dedication requirement and substitutes
Introduced by therefor the right to accept a cash donation in
Drake and lieu of land for a park, to be paid into a park
others fund for purchase of other land for parks; pro-
vides rules and regulations for such substitution.

Amends § 11-602.
No effective date. Feb. 9.

CHAPTER 20.....deletes provision that 1% of fees collected by
HB 212 the grass conservation commission shall be paid
to the state treasurer for reimbursement of
Introduced by moneys appropriated for establishment and ad-
Edland and ministration of the grass conservation commission;
others changes the due date of fees to be paid by state

Legislative Review 1971

grazing districts from May 1st to October 1st.

Amends § 46-2331.

No effective date.

Feb. 9.

CHAPTER 21.....revises the Montana Water Pollution Control Act;
HB 85 defines "natural" condition; redefines "pollution", "state waters"; places administration of the Act in the state department of health, provides for a director of water pollution control; provides the Act applies to drainage from all sources if such drainage reaches state waters; provides for administration of the Act by state department of health; broadens the activity under which a permit must be obtained; changes the state water pollution control council to the state water pollution advisory council, provides for members thereof, duties and powers.

Amends §§ 69-4801-69-4802, 69-4804-69-4806, 69-4810-69-4814.

Repeals §§ 69-4803, 69-4807-69-4809, 69-4815-69-4819.

No effective date.

Feb. 10.

CHAPTER 22.....eliminates fees set by statute to be collected
HB 132 by the commissioner of state lands and provides such fees may be prescribed by the commissioner with the approval of the state board of land commissioners.

Introduced by
Bardanoue,
Kvaalen

Amends §§ 81-412, 419, 426, 428, 502, 606, 613, 615, 915, 1113, 1702.1, 1703.

Effective upon passage and approval. Feb. 10.

CHAPTER 23.....subjects state and national banks to the Montana
HB 23 corporation license tax provided for under Title 84, Chapter 15, R.C.M. 1947.

Introduced by
Hims1 and
others

Repeals § 84-1501.4.

Effective for taxable year beginning January 1, 1971, in accordance with Public Law 91-156, § 1 (12 U.S.C. 548 (5)), and for year beginning January 1, 1972, in accordance with Public Law 91-156, § 2 (12 U.S.C. 548).

Feb. 16.

CHAPTER 24.....relates to grazing preferences appurtenant to
HB 411 dependent commensurate or commensurate property and allows a preference based on ownership or control to be transferred to other property of sufficient commensurability, rather than other property "owned or controlled by the permittee"

Introduced by
Mather and
Bardanoue

Legislative Review 1971

of sufficient commensurability.

Amends § 46-2322.

No effective date.

Feb. 16.

CHAPTER 25.....provides that the valuation of shares of stock
HB 129 of national and state banking corporations en-

Introduced by assessed for the purpose of taxation in like
Burnett and manner, at the full cash value thereof, less
Aber the book value of real estate, moneyed capital
and other property of such bank.

Amends § 84-307.

Repeals § 84-306.

Effective upon passage and approval. Feb. 16.

CHAPTER 26.....eliminates the requirement for issuance of
HB 133 triplicate receipts for payments made to the
state through the office of state commissioner
of lands and investments, except for cash pay-
ments or upon request.

Introduced by
Bardanouve
and Kvaalen

Amends § 81-204.

Effective upon passage and approval. Feb. 16.

CHAPTER 27.....provides for the cancellation of leases on
HB 134 state lands by the commissioner of state lands
and investments for violations by lessees sub-
ject to appeal to the state board of land com-
missioners and provides the appeal procedure.

Introduced by
Bardanouve
and Kvaalen

Amends §§ 81-414, 415, 419, 422.

Effective upon passage and approval. Feb. 16.

CHAPTER 28.....clarifies the application of the estate tax
HB 184 upon transfers of estates of decedents, in-
cludes nonresident estates under the Act and
provides an apportionment formula when the
estate is partly within and partly without the
state; provides a tax situs for property for
estate tax purposes.

Introduced by
J. Murphy

Amends § 91-4411.

Effective upon passage and approval. Feb. 16.

CHAPTER 29.....relates to the establishment, organization and
HB 228 operation of the agricultural experiment sta-
tion at the state university at Bozeman, states
its purposes and repeals sections of the Higher
Education Code of the Forty-second Session Laws
which set out certain functions of the agricul-
tural experiment station.

Introduced by
Warfield and
Aspevig

Legislative Review 1971

Amends §§ 75-8411, 8428.
Repeals §§ 75-8412 - 8422.
No effective date.

Feb. 16.

CHAPTER 30.....defines lands for conservation purposes as
HB 231 all forest lands within the State of Montana
which are officially classified by the state
board of forestry as forest lands; defines
Introduced by conservation as the protection and wise use
Haines and of forest, forest range, forest water, and
Nichols forest soil resources in keeping with the com-
mon welfare of the people of the state and
allows expenditure of funds for such conser-
vation.

Amends §§ 28-103, 123.
No effective date.

Feb. 16.

CHAPTER 31.....provides that up to 2-1/2% of other seeds
HB 256 that blend with class 2 and class 3 mustard
seed, and thus are not readily identified,
shall not be considered foreign material and
Introduced by shall not be considered in grading those classes
Gunderson and of mustard seed; provides that the percentage
others of moisture and the percentage of dockage in
mustard seed shall be ascertained by use of
the equipment and procedure prescribed by the
Montana department of agriculture.

Amends § 3-1902.
No effective date.

Feb. 16.

CHAPTER 32.....allows banks to suspend business in case of
HB 21 an emergency due to extreme storms, labor dis-
putes and strikes, communications failures,
shortage of fuel, housing, food, transporta-
tion or labor, robbery, enemy attack, epi-
demics, riots and other acts of lawlessness;
Introduced by enumerates authority of bank commissioner and
Worden and officers in such emergencies; allows closing
others on days proclaimed by president of the United
States or governor of this state as day or
days of mourning, rejoicing, or other special
observance.

Amends § 19-107.
No effective date.

Feb. 18.

CHAPTER 33.....provides for salaries of commissioners under
HB 72 a commission-manager plan of city government;
amends to provide that each commissioner shall
be paid a salary established by ordinance in
Introduced by all classes of cities; deletes statutory
Patrick and
others

Legislative Review 1971

salary of commissioners in classes under and over 25,000 inhabitants.

Amends § 11-3248.
No effective date.

Feb. 18.

CHAPTER 34.....provides that inheritance taxes be paid to
HB 179 either the state board of equalization or the county treasurer of the county in which the district court having jurisdiction is situated; Introduced by J. Murphy provides that the county treasurer issue receipts for such tax in quintuplet; and for the distribution of copies of the receipt.

Amends § 91-4415.
Effective upon passage and approval. Feb. 18.

CHAPTER 35.....removes freeport merchandise from class 7 of
HB 267 classification of property for taxation purposes and creates a class 9 for such freeport merchandise, reduces rate of taxation for free- Introduced by Knudsen and others port merchandise from 7% to 1% of its true and full value.

Amends §§ 84-301, 302.
Effective upon passage and approval. Feb. 18.

CHAPTER 36.....provides that county treasurers shall remit to
HB 380 the state board of equalization all collections of inheritance taxes monthly and make reports thereon monthly and that appropriate refunds due be paid by the state board of equalization; Introduced by Worden and others provides that such reports be made on or before the 5th of each month; that payments received by county treasurers and not paid to the state board of equalization within 5 days of statutory time of such payment, the county treasurer shall pay interest thereon at the rate of 10% per annum; provides that such change in reporting and remitting is effective for payments received on or after April 1, 1971; the first report and remittance based on the change is due by May 5, 1971.

Amends §§ 91-4418, 91-4450.
Effective upon passage and approval. Feb. 18.

CHAPTER 37.....removes the requirements for marking gross
SB 66 weight upon vehicles, motor truck, truck-tractors, trailers or semitrailers operated upon the high- Introduced by Northey and others ways and allows payment for excess weight to be made to the state highway commission or the nearest county treasurer.

Legislative Review 1971

Amends § 32-3317.
Repeals § 32-3311.
No effective date.

Feb. 20.

CHAPTER 38.....provides that an injured claimant who has
SB 67 ceased to draw workmen's compensation bene-
fits and has returned to the labor market
Introduced by shall be entitled to receive unemployment
Turnage and compensation if he is otherwise qualified and
Bennett that workmen's compensation which is received
as a payment for a permanent partial disability
shall not be computed to be spread over a period
of weeks in advance so as to bar the recipient
from receiving unemployment compensation bene-
fits, provided he has returned to the labor
market and is otherwise qualified.

Amends § 87-106.
No effective date.

Feb. 20.

CHAPTER 39.....relates to freedom from discrimination for
SB 74 women by amending the statutes providing for
freedom from discrimination in employment and
Introduced by public accommodations because of race, creed,
Gilfeather color or national origin to include freedom
and others from discrimination because of sex.

Amends §§ 64-301 - 303.
No effective date.

Feb. 20.

CHAPTER 40.....clarifies the statute defining occupational
SB 104 diseases by changing the wording "The occu-
pational diseases defined by the preceding
Introduced by section shall be deemed to arise out of the
Dzivi and employment only if:" to "Occupational dis-
others eases shall be deemed to arise out of the
employment only if:"

Amends § 92-1305.
No effective date.

Feb. 20.

CHAPTER 41.....amends the "previous section" mentioned in
SB 105 Chapter 40 above by deleting the listing of
certain diseases and substituting the defini-
Introduced by tion "The term 'occupational disease' shall
Dzivi and mean all diseases arising out of or contracted
others from and in the course of employment."

Amends § 92-1304.
No effective date.

Feb. 20.

CHAPTER 42.....makes it unlawful for a school trustee to be
SB 130 employed in any capacity by the school dis-
trict of which he is a trustee.

Legislative Review 1971

Introduced by Amends § 75-6808.
Rosell and No effective date. Feb. 20.
others

CHAPTER 43.....provides that the hunting or fishing license
SB 138 or camping permit of any person convicted of
littering public or private lands while hunt-

Introduced by ing, fishing or camping, shall be forfeited
Klindt and for a period of 90 days from the date of con-
others viction.

No effective date. Feb. 20.

CHAPTER 44.....provides that the trustees of a high school
SB 145 district (rather than a high school) may re-
quest the division of the county into a high
school district or districts.

Introduced by Lynch and
others Amends § 75-6520.
No effective date. Feb. 20.

CHAPTER 45.....requires motorists to stop for a school bus
SB 160 showing visual flashing red signals and to
slow down and proceed with caution for a school
bus showing flashing amber signals.

Introduced by Deschamps and
Manning Amends § 32-2197.
No effective date. Feb. 20.

CHAPTER 46.....adds all species of the genus acipenser
SB 230 (sturgeon) to the definition of game fish.

Introduced by Amends § 26-201.
Hafferman No effective date. Feb. 20.

CHAPTER 47.....reduces the entrance age of policemen to
SB 243 twenty from twenty-one.

Introduced by Amends § 11-1814.
Brownfield No effective date. Feb. 20.
and others

CHAPTER 48.....adds grizzly bear to the game animals for
SB 287 which special licenses are required and pro-
vides that a person who has killed or taken
such animal is not eligible to apply for
another such license for the next succeeding
seven years.

Amends § 26-202.2.
No effective date. Feb. 20.

Legislative Review 1971

CHAPTER 49..... corrects the wording of the teacher tenure
SB 336 statute (inserts the word "or" between the
two subsections setting out the conditions
under which services of a teacher may be ter-
minated).
Introduced by Rosell and
others
Amends § 75-6103.
No effective date. Feb. 20.

CHAPTER 50..... allows the judge of the district court to
HB 32 delegate authority to the clerk of the dis-
trict court within the district for the pur-
pose of making the determination and entering
the order that the five-day waiting period
between application for and issuance of a
marriage license may be waived.
Introduced by Scott and
others
Amends § 48-118.1.
No effective date. Feb. 20.

CHAPTER 51..... removes the eight hours a working day limi-
HB 76 tation for female employees.
Introduced by McKittrick
and others
Amends § 41-1120.
Repeals § 41-1118.
Effective upon passage and approval. Feb. 20.

CHAPTER 52..... increases the monetary amount of damage to
HB 122 property at which an automobile accident
must be reported from \$100 to \$250.
Introduced by Wolf and
others
Amends § 32-1208.
No effective date. Feb. 20.

CHAPTER 53..... authorizes the highway patrol board to issue
HB 161 identification cards to persons over the age
of 18 years not the holder of a valid driver's
license; provides procedure and fees.
Introduced by Dye and
others
No effective date. Feb. 20.

CHAPTER 54..... adds national park service rangers to the list
HB 100 of persons exempt from the statutes prohibiting
the carrying of concealed weapons.
Introduced by Lundgren and
others
Amends § 94-3527.
No effective date. Feb. 20.

CHAPTER 55..... increases the monetary amount of damage to
HB 120 property at which an automobile accident must
be reported from \$100 to \$250 in cases where
the report is required to enable the highway
patrol supervisor to determine the requirement
Introduced by Wolf and others

Legislative Review 1971

for the deposit of security.

Amends § 53-421.

No effective date.

Feb. 20.

CHAPTER 56..... increases the monetary amount of damage to
HB 121 property at which an automobile accident has
been reported to the highway patrol super-
Introduced by visor from \$100 to \$250 in enabling him to
Wolf and determine the amount of security.
others

Amends § 53-422.

No effective date.

Feb. 20.

CHAPTER 57..... relates to teachers' retirement, increases
HB 178 the employer's contribution to 5% from 4-1/2%;
requires payment of interest on redeposits in
the amount the contributions would have earned
and requires payment of interest on contribu-
Introduced by tions to secure out-of-state service credit in
Schoonover the amount the contributions would have earned,
and others and provides for superannuation retirement
allowance equal to one-half of the member's
average final compensation.

Amends §§ 75-6207, 75-6208, 75-6213.

No effective date.

Feb. 20.

CHAPTER 58..... adds cable television systems to the list of
HB 422 publishers of libelous or defamatory matter
who are given the opportunity to correct the
Introduced by matter before action may be commenced.
Devine and
Kolstad

Amends § 64-207.1.

No effective date.

Feb. 20.

CHAPTER 59..... provides that in filing certificates of nomi-
HB 596 nation for public office by an individual or
a political party which did not appear on the
ballot in the next preceding election, cer-
Introduced by tificates of nomination of candidates for
Robbins and municipal offices must be filed with the clerks
others of the respective municipal corporations not
more than 30 and not less than 15 days previous
to the date of election.

Amends § 23-3318.

Effective upon passage and approval. Feb. 24.

CHAPTER 60..... an Act to provide that no action for damages
SB 13 arising out of the design, planning, super-
vision, inspection, construction, or observa-
tion of construction of, or land surveying done

Legislative Review 1971

Introduced by Turnage and others in connection with, any improvement to real property shall be commenced more than ten years after completion of such improvement; provides that injuries which occurred during the 10th year after completion may be commenced within one year after occurrence; limitation shall not affect responsibility of owner, tenant, or person in possession of the improvement at the time the right of action arises; defines "completion" and provides the Act shall not be construed as extending the period prescribed by Montana law for the bringing of any action.

Effective January 1, 1972.

Feb. 27.

CHAPTER 61..... provides for the creation of a confidential
SB 29 relationship between student and school personnel by including in those who cannot be examined as a witness: a counselor, psychologist, nurse, or teacher, employed by any educational institution in which the student is duly registered; provides that such confidence shall not apply where consent has been given by the student, if not a minor, or if he is a minor, by the student and his parent or legal guardian.

Introduced by Rosell and others

Amends § 93-701-4.
No effective date.

Feb. 27

CHAPTER 62..... provides that state liquor stores shall be
SB 80 closed for business between the close of normal business Saturday p.m. through the opening of normal business Tuesday a.m. as set by board regulation and including legal holidays and election days, and such other period and other days as the board may direct.

Introduced by Graham and Rugg

Amends §§ 4-114, 121.
No effective date.

Feb. 27.

CHAPTER 63..... the "Montana Insurance Guaranty Association
SB 139 Act", provides for a mechanism for the payment of covered claims under certain insurance policies to avoid excessive delay in payment and to avoid financial loss to claimants or policy holders because of the insolvency of an insurer, to assist in the detection and prevention of insurer insolvencies, and to provide an association to assess the cost of such protection among insurers.

Introduced by Stephens and McKeon

No effective date.

Feb. 27.

Legislative Review 1971

CHAPTER 64..... provides for the control and regulation of the
SB 148 affairs of insurance holding companies; pre-
scribes rules and regulations governing acqui-
sition and disposal of insurance holding com-
panies; subjects domestic insurers to examina-
tion by the insurance department; provides for
application to be made to the insurance commis-
sioner to approve certain transactions and pro-
vides for judicial review.

Repeals §§ 40-5501, 5508.
No effective date.

Feb. 27.

CHAPTER 65..... increases the per diem pay of members of the
SB 165 employment security commission to \$20.00 from
\$10.00 and the total allowed per year to \$1,000
from \$500.

Introduced by
Siderius and
others

Amends § 87-117.
No effective date.

Feb. 27.

CHAPTER 66..... provides for the waiver of residence require-
SB 177 ments for police officers, deputy sheriffs and
marshals.

Introduced by
McCallum and
others

Amends §§ 11-1814, 16-3705.
No effective date.

Feb. 27.

CHAPTER 67..... relates to fees to be paid the railroad and
SB 205 public service commission for filing various
documents and provides that copies of rules and
regulations for motor carriers and blank forms
of annual reports for utilities and common
carriers be provided at cost.

Introduced by
Sheehy and
Hazelbaker

Amends § 8-126.
No effective date.

Feb. 27.

CHAPTER 68..... amends the motor carrier Act with relation to
SB 207 fines assessed for violations of the Act; allows
the Board to assess a civil penalty of not less
than \$25.00 nor more than \$500 for the first
offense and not less than \$100 nor more than
\$1,000 for each subsequent offense, or the
violation may be deemed guilty of a misdemeanor
with the same fines upon conviction, or imprison-
ment in the county jail for not more than 30 days.

Introduced by
Sheehy and
Hazelbaker

Amends § 8-119.
No effective date.

Feb. 27.

CHAPTER 69..... excepts Class C motor carriers operating pur-
SB 208 suant to the terms and conditions of a United

Legislative Review 1971

Introduced by States Government contract, agency or depart-
Sheehy and ment, from the certificate of convenience and
Hazelbaker necessity requirements.

Amends §§ 8-110, 111, 111.1.
Effective upon passage and approval. Feb. 27.

CHAPTER 70..... extends to three from two years the reporting
SB 223 date and to five from four years the expiration
 date of interlocal cooperation commissions.

Introduced by Amends §§ 11-4412, 4416.
Deschamps and No effective date. Feb. 27.
Bertsche

CHAPTER 71..... allows a poor person to defend (as well as
SB 228 prosecute) a cause of action without payment
 of fees.

Introduced by Amends § 93-8625.
Drake and No effective date. Feb. 27.
DeWolfe

CHAPTER 72..... deletes the provision that the liquor control
SB 238 board may receive samples of liquor for quality
 determination and provides that liquor samples
Introduced by be limited to one 25 fluid ounce to be forwarded
Graham and to a qualified chemical laboratory for analysis;
others provides for written records of all samples re-
 ceived and that no liquor be withdrawn except
 for sale or for destroying damaged or defective
 merchandise.

Amends § 4-153.
Effective upon passage and approval. Feb. 27.

CHAPTER 73..... brings the practice of psychology under
HB 8 regulation and control by providing for the
 licensing of persons representing themselves
Introduced by to be psychologists; creates a state board of
Watt and psychologist examiners, prescribes its powers
others and duties and provides penalties for violations.

No effective date. Feb. 27.

CHAPTER 74..... provides that members of the state board of
HB 10 eugenics shall receive \$25.00 per day for
 attending meetings, and shall be reimbursed
Introduced by for actual and necessary expenses incurred in
Bardanoue attending meetings.

Amends § 69-6402.
Effective upon passage and approval. Feb. 27.

Legislative Review 1971

CHAPTER 75..... increases the annual registration fee for
HB 17 optometrists from \$20 to \$50; increases the
penalty for late renewal from \$25 to \$35.

Introduced by
Keller

Amends § 66-1307.
No effective date.

Feb. 27.

CHAPTER 76..... provides that persons or firms engaged in the
HB 43 business of cleaning cesspools, septic tanks
or privies and the disposal of waste therefrom,
have their licenses validated by the health
officer or local sanitarian in each county
where such business is conducted; provides
for license forms to be obtainable from local
health officers in the county of residence;
increases the license fee from \$5 to \$25, \$20
of the license fee to be retained by the county
and \$5 to the state.

Introduced by
Kosena

Amends §§ 69-5401 -5405, 5407, 5408.
Effective January 1, 1972.

Feb. 27

CHAPTER 77..... removes the limitation of outstanding indebted-
HB 109 ness which may be incurred by the Montana liquor
control board to the extent that such indebted-
ness shall not at any time exceed \$25,000, exclu-
sive of indebtedness incurred for merchandise
held for resale.

Introduced by
Harper by
request

Amends § 4-235.

Effective upon passage and approval. Feb. 27.

CHAPTER 78..... excepts buffalo from the requirements for a
HB 167 game farm permit and the regulations pertinent
thereto.

Introduced by
Burnett and
others

Amends § 26-1201.
No effective date.

Feb. 27.

CHAPTER 79..... adds a new section to require optometrists in
HB 196 active practice to attend not less than 12 hours
annually of scientific clinics, forums, or
optometric educational studies as may be pro-
vided or approved by the Montana state board
of examiners in optometry, as a prerequisite
for license renewal; provides for exemption
for illness or other good reason.

Introduced by
Keller and
others

Adds § 66-1318.
No effective date.

Feb. 27.

CHAPTER 80..... amends the eligibility requirements for parti-
HB 198 cipation in benefits under the volunteer fire-

Legislative Review 1971

Introduced by men's pension plan to provide that if children
Marks and of any volunteer fireman shall become eligible
others for benefits, then all children of such volunteer fireman shall be treated collectively as one claimant; changes the required years of service to be eligible from a total of 20 to at least 10 years and provides for proportionate benefits if under 20 years of service; changes method of payment as regards beneficiaries of a qualified volunteer fireman receiving benefits at time of death.

Amends § 11-2022 - 2025.
Effective upon passage and approval. Feb. 27.

CHAPTER 81..... deletes reference to first, second and third
HB 247 class counties in qualifications of deputy sheriffs, marshals and policemen, making such qualifications applicable to any deputy sheriff, marshal or policeman appointed by a sheriff of any county.

Introduced by
Lien and
others

Amends § 16-3705.
No effective date. Feb. 27.

CHAPTER 82..... the "Corporation Income Tax" Act, to be administered by the state board of equalization; provides that the corporation license tax shall be applied to all corporations subject to taxation under Chapter 15, Title 84, R.C.M. 1947; the income tax provided by this Act to be applied to corporations that are not taxable under Chapter 15, Title 84, R.C.M. 1947, but are taxable under an income tax.

Introduced by
Swanberg and
others

Effective upon passage and approval. Feb. 27.

CHAPTER 83..... eliminates all statutory electors' qualifications for voting on the creation of any school district levy, debt or liability except such qualifications as are validly required by or pursuant to the Montana Constitution, that is repeals the taxpayer qualification.

Introduced by
Warfield and
Christiansen

Amends §§ 75-6410, 6412, 6414, 6509, 6516, 6923, 7112 - 7114, 7117, 7134, 7205.
Repeals § 75-6411.
Effective upon passage and approval. Feb. 27.

CHAPTER 84..... allows trustees of policemen's retirement fund to invest in certificates of deposit issued by any state or national bank operating in Montana.

HB 285

Legislative Review 1971

Introduced by Amends § 11-1829.
Hall No effective date. Feb. 27.

CHAPTER 85.....includes the secretary of the livestock com-
HB 407 mission and the executive officer of the live-
stock sanitary board as members of the inter-
departmental advisory council.

Introduced by Amends § 82-3001.
C. Smith and No effective date. Feb. 27.
others

CHAPTER 86.....provides that a deductible plan of insurance
HB 473 may be established for use by the state in in-
suring state buildings and their contents;
places administration of the Act in the depart-
ment of administration with the cooperation of
the insurance commissioner.

Introduced by No effective date. Feb. 27.
Bardanouve
and others

CHAPTER 87.....increases the annual barbershop license fee
HB 54 to \$5.00 from \$3.00 and the initial inspection
fee of barbershops to \$20.00 from \$15.00.

Introduced by Amends § 66-411.
Mather and No effective date. Mar. 1.
others

CHAPTER 88.....includes as a part of the unemployment compen-
HB 57 sation account, payments made in lieu of con-
tributions by nonprofit organizations and the
state and its political subdivisions in con-
formity with Public Law 91-373, Employment
Security Amendments of 1970.

Amends § 87-111.
No effective date. Mar. 1.

CHAPTER 89.....provides that speed limits on all federal-aid
HB 59 highways or extensions thereof in all munici-
palities or urban areas shall be established
by the highway commission which shall have
exclusive jurisdiction on such highways in com-
pliance with § 32-2144.

Amends § 32-2146.
No effective date. Mar. 1.

CHAPTER 90.....removes the residence requirement for persons
HB 67 applying for aid to dependent children and re-
quires only that the applicant is residing in
the state on the date the application is filed.

Introduced by Amends § 71-504.
Keller and Effective upon passage and approval. Mar. 1.
others

Legislative Review 1971

CHAPTER 91.....redefines the responsibilities of the employ-
HB 86 ment security commission in participating in
 the arrangements approved by the secretary of
Introduced by labor for combining wages in employment in two
East and or more states in conformity with Public Law
others 91-373, Employment Security Amendment of 1970.

Amends § 87-129.

No effective date.

Mar. 1.

CHAPTER 92.....relates to the Veteran's Welfare Commission
HB 97 and provides that employees of the commission
 shall be veterans of World War I, World War II,
Introduced by the Korean War or the Vietnam Conflict (adding
Falkenstern Korean War and Vietnam Conflict).
and others

Amends § 77-1002.

No effective date.

Mar. 1.

CHAPTER 93.....provides uniform sick leave benefits for pub-
HB 105 lic employees, one working day for each month
 of service, and lump-sum payment equal to 1/4
Introduced by of the pay attributed to his sick leave upon
Harrison and separation from service.
others

Adds § 59-1008.

No effective date.

Mar. 1.

CHAPTER 94.....validates judgments or decrees of courts prior
HB 150 to January 1, 1971, affecting real property not-
 withstanding defects in the court proceedings.

Introduced by
Judiciary
Committee

No effective date.

Mar. 1.

CHAPTER 95.....validates deeds and conveyances made prior to
HB 151 January 1, 1971, which are defective in exe-
 cution or acknowledgment.

Introduced by
Judiciary
Committee

No effective date.

Mar. 1.

CHAPTER 96.....validates and confirms sales or dispositions
HB 152 heretofore made or attempted to be made by
 counties.

Introduced by
Judiciary
Committee

No effective date.

Mar. 1.

CHAPTER 97.....validates judicial sales of real property prior
HB 153 to January 1, 1971, and curing defects or irreg-
 ularities in the issuance of execution, manner
 of making or conducting the sale, or in the

Legislative Review 1971

Introduced by recitals or references in sheriffs' deeds.

Judiciary

Committee

No effective date.

Mar. 1.

CHAPTER 98....validates deeds and conveyances in sales of
HB 154 land and personal property made by trustees,
executors, administrators and guardians prior
to January 1, 1971, curing defects and irregu-
larities in such sales.

Introduced by

Judiciary

Committee

No effective date.

Mar. 1.

CHAPTER 99....validates certain instruments affecting real
HB 155 property which were erroneously executed or
acknowledged prior to January 1, 1971.

Introduced by

Judiciary

Committee

No effective date.

Mar. 1.

CHAPTER 100....increases the fine for abuse of teachers to
HB 163 not less than \$25.00 (from \$10.00) nor more
than \$500.00 (from \$100.00).

Introduced by

Schoonover

and others

Amends § 75-6110.

No effective date.

Mar. 1.

CHAPTER 101...relates to withdrawal by contractors of funds
HB 191 retained by the state upon depositing certain
obligations with the state treasurer, adds

Introduced by

Lockwood and

others

certificates of deposit drawn and issued by a
national banking association located in Montana
or by any banking corporation incorporated
under the laws of Montana, as obligations which
may be deposited.

Amends § 82-4101.

No effective date.

Mar. 1.

CHAPTER 102...specifies the haulers of ready-mix concrete
HB 192 upon which a fee shall be paid as concrete
mixer trucks, trailers, truck tractors and

Introduced by

Sverdsten and

Hims1

semitrailers, and establishes fees.

Amends § 32-3304.1.

No effective date.

Mar. 1.

CHAPTER 103...provides that any political subdivision of
HB 210 the state may elect coverage under the Work-
men's Compensation Act of its employees in

Introduced by

Lucas and

others

hospitals and institutions of higher educa-
tion in conformity with Public Law 91-373,
Employment Security Amendments of 1970.

Legislative Review 1971

- Amends § 87-110.
Effective Jan. 1, 1972. Mar. 1.
- CHAPTER 104....relates to unemployment compensation, amend-
HB 211 ing the duration of benefits to provide a
program of extended benefits in conformity
Introduced by with Public Law 91-373, Employment Security
East and Amendments of 1970.
others
Amends § 87-104.
Effective Jan. 1, 1972. Mar. 1.
- CHAPTER 105....increases the payments to silicotics to \$158.50
HB 250 from \$140 per month.
Introduced by Amends §§ 71-1003, 1004, 1008.
Lynch and No effective date. Mar. 1.
others
- CHAPTER 106....authorizes the fish and game commission to
HB 260 promulgate regulations governing the use of
livestock and vehicles, by archers, during
Introduced by special archery seasons.
Knudsen
No effective date. Mar. 1.
- CHAPTER 107....amends the Milk Control Law relating to mar-
HB 262 kets, prices, pooling, licensing, penalties,
advisory boards, credit and financing.
Introduced by
Nichols and Amends §§ 27-403, 406 - 411.
others Repeals § 27-427.
No effective date. Mar. 1.
- CHAPTER 108....allows a public employee whose day off falls
HB 275 on a legal holiday, except Sunday, to be en-
titled to receive a day off either on the day
Introduced by preceding or the day following the holiday.
Harrison
No effective date. Mar. 1.
- CHAPTER 109....increases to \$500 from \$400 the tuition per
HB 296 pupil attending high school in Twin Bridges
from the Montana Children's Center at Twin
Introduced by Bridges.
Jackson and
others Amends § 75-6319.
No effective date. Mar. 1.
- CHAPTER 110....increases the tax on fire insurance premiums
HB 306 for maintenance of the state fire marshal's
office to three-fourths of one percent from
one-half of one percent.

Legislative Review 1971

Introduced by Amends § 82-1231.
Lockwood and No effective date. Mar. 1.
others

CHAPTER 111....establishes a division of mental retardation
HB 308 within the department of institutions.

Introduced by Repeals §§ 80-2301, 2302.
Marbut and Effective upon passage and approval. Mar. 1.
others

CHAPTER 112....enacts the "interstate compact on mental
HB 310 health", authorizing the state of Montana
to enter into a compact with any of the
Introduced by United States, its territories and posses-
Marbut and sions, for the treatment of the mentally ill.
others
Effective upon passage and approval. Mar. 1.

CHAPTER 113....provides for a leave of absence not to exceed
HB 324 15 days for public employees having worked
six months in such public employment for the
purpose of attending military training pro-
grams.

Introduced by
Bardanouve
and Nichols
Amends § 77-157.
No effective date. Mar. 1.

CHAPTER 114....repeals the statute making it a misdemeanor
HB 332 to encourage or permit a minor under 16 years
of age to be in a public dance hall.

Introduced by
Lanthorn and Repeals § 94-35-138.
Bennett No effective date. Mar. 1.

CHAPTER 115....creates a game preserve in the area of the
HB 347 Gates of the Mountains, Lewis and Clark County.

Introduced by No effective date. Mar. 1.
Patrick and
others

CHAPTER 116.... relates to the Public Employees' Retire-
HB 370 ment System, changes the formula for calcu-
lating benefits, increases the employer
contribution and increases certain retire-
ment allowances.

Introduced by
Harrison and
others
Amends §§ 68-801, 901, 1307.
Adds § 68-902.
No effective date. Mar. 1.

Legislative Review 1971

CHAPTER 117....relates to the Unemployment Compensation Law,
HB 392 extending coverage to non-profit organizations
and allowing non-profit organizations and the
state and its political subdivisions to make
Introduced by payments in lieu of contributions and makes
East by other amendments in conformity with Public
request Law 373, Employment Security Amendments of 1970.

Amends § 87-109.
No effective date.

Mar. 1.

CHAPTER 118....changes the voting age of electors at school
HB 394 elections from age 21 to the minimum age for
voting provided by the Constitution of the
State of Montana and providing that such elector
Introduced by must meet residency requirements for voting as
Keller and provided by the Constitution of Montana.
Nichols

Amends § 75-6410.
Effective on passage and approval.

Mar. 1.

CHAPTER 119....changes the minimum age for registration of
HB 395 voters for elections concerning the location
of county seats from 21 to the minimum age
provided by the Constitution of the State of
Introduced by Montana; requires that residency requirements
Keller and for voting provided by the Constitution must
Nichols also be met for registration.

Amends § 16-405.
Effective on passage and approval.

Mar. 1.

CHAPTER 120....changes the age requirement for electors in
HB 398 general and special elections to provide that
such elector must be of the minimum voting
age prescribed by the Constitution of Mon-
Introduced by tana except that in the case of voting for
Keller and president and vice-president of the United
Nichols States, or for U. S. senator or representa-
tive, such elector must be 18 years of age;
requires that electors must meet residence
requirements of Montana's Constitution except
that if a resident of the state for 30 days
immediately preceding the election he shall
be allowed to vote for president and vice-
president.

Amends § 23-2701.
Repeals, §§ 23-2702, 2703.
Effective on passage and approval

Mar. 1.

CHAPTER 121....changes the method of establishing vacation
HB 448 credits of public employees to provide that
an employee shall earn annual vacation leave

Legislative Review 1971

Introduced by Zimmer and others credit from the first full calendar month of employment, but is not entitled to such leave with full pay until he has worked continuously for a period of 12 months; limits accumulated annual vacation leave to 30 days as of the last day of any calendar year.

Amends §§ 59-1001, 1002.
Effective on passage and approval. Mar. 1.

CHAPTER 122....allows the trustees of a school district to
HB 450 establish and maintain a special education class or special education program for men-

Introduced by Marbut and others tally retarded or physically handicapped persons who are not less than 21 or more than 25 years of age; provides that such programs shall be eligible for financial assistance in accordance with §§ 75-7813 and 75-7815.

Amends §§ 75-7806, 7816.
No effective date. Mar. 1.

CHAPTER 123....amends sections pertaining to establishment
HB 489 of special education classes by school districts to include that at least one applicable

Introduced by Healy and others special education class be established when there are seven or more trainable mentally retarded children in the district.

Amends §§ 75-7805, 7806, 7807.
No effective date. Mar. 1.

CHAPTER 124....requires the rules and regulations of the
HB 508 Board of Railroad Commissioners to conform with the rules and regulations of the U.S.

Introduced by Brand and others department of transportation as to the installation of safety appliances, sanitation and shelter of employees, and brake equipment on railroad cars, trains and engines; provides that the board mail a copy of its annual report regarding the compliance of such railroads to such rules to the secretary of the department of transportation.

Amends §§ 72-143, 150, 151.
No effective date. Mar. 1.

CHAPTER 125....the "Voluntary Consolidation and Annexa-
HB 553 tion Incentive Plan", the purpose of which is to provide additional financial assist-

Introduced by Fasbender and Gunderson ance to school districts that consolidate or annex.

Effective on passage and approval. Mar. 1.

Legislative Review 1971

CHAPTER 126....prohibits the placing of caged fish in public waters except as provided by fish and game commission regulation; gives authority

HB 555
Introduced by Smith and Burnett
to the fish and game commission to regulate to protect state waters from pollution, excessive private use and the introduction of disease.

No effective date.

Mar. 1.

CHAPTER 127....adds a new grade for the classification of apples to include "orchard-run grade" which shall consist of one variety which is mature, hand-picked, clean, sound, free from infection or disease or serious damage, have 15% color requirements characteristic of the variety and boxes containing such grade shall be marked in block letters not less than one inch in height on both ends "Orchard-run grade".

HB 566
Introduced by Fleming and others

Amends § 90-201.

No effective date.

Mar. 1.

CHAPTER 128....extends the authority of the Western Interstate Commission for Higher Education to act on behalf of this state in making arrangements for the placement of students in institutions and programs of higher learning outside the states which are parties to the compact.

HB 570
Introduced by Cox and others

No effective date.

Mar. 1.

CHAPTER 129....increases the special license fee for taking grizzly bear from \$1.00 to \$5.00 for residents and from \$25 to \$35 for nonresidents and requires a special license fee of \$5.00 for residents and \$35 for nonresidents for taking black or brown bear.

SB 23
Introduced by Klindt and others

Amends § 26-202.1.

No effective date.

Mar. 1.

CHAPTER 130....defines "perishable food dealer" as a person or commercial establishment which is in the business of purchasing and selling perishable food to the public and requires their licensing and regulation by the state board of health.

SB 28
Introduced by Bollinger and others

Amends § 27-612.

No effective date.

Mar. 1.

Legislative Review 1971

CHAPTER 131....the "implied consent" law, provides that any
SB 39 person who operates a motor vehicle upon the
public highways of this state shall be deemed
Introduced by to have given consent to a chemical test of
Stephens and his blood, breath, or urine for the purpose
others of determining the alcoholic content of his
blood if arrested by a peace officer for
driving or in actual physical control of a
motor vehicle while under the influence of
intoxicating liquor; provides for suspension
upon refusal of operator to submit to the
test and provides for appeal of license sus-
pension.

No effective date.

Mar. 1.

CHAPTER 132....reduces the amount of alcohol necessary to
SB 40 presume a person under the influence of in-
toxicating liquor from in excess of 0.05 per-
cent but less than 0.15 to 0.05 but less than
Introduced by 0.10 and provides the weight shall be based
Stephens and upon grams of alcohol per 100 cubic centi-
others meters of blood; provides penalties.

Amends § 32-2142.

Effective upon passage and approval. Mar. 1.

CHAPTER 133....relates to the protection of fishing streams,
SB 45 providing for submission of plans for cons-
truction and hydraulic projects affecting
Introduced by such streams to the Montana fish and game
Mitchell and commission and requires the fish and game
others commission to notify the appropriate federal
agency concerning acts and omissions on the
part of the Government of the United States
which will or might adversely affect Montana
fish and wild life resources.

Amends §§ 26-1502, 1505, 1507.

No effective date.

Mar. 1.

CHAPTER 134....requires each state agency to submit an annual
SB 46 written report to the Governor rather than a
biennial report.

Introduced by
James,
Mackay

Amends § 82-4002.

No effective date.

Mar. 1.

CHAPTER 135....relates to the confidentiality of all informa-
SB 64 tion concerning public venereal disease by
defining the word "information" to preserve
Introduced by the principle of confidentiality in venereal
Bennett, Flynn disease work by public personnel, local,

Legislative Review 1971

state and federal.

Amends § 69-4610.

No effective date.

Mar. 1.

CHAPTER 136....revises the Refuse Disposal Districting Law,
SB 77 provides for the levy of fees and their dis-
position, provides for the powers and duties
of the board, provides for the formation of
joint districts and makes the county attorney
the legal adviser of the district.

Introduced by
Bennett and
others

Amends §§ 69-6002, 6007, 6010.

Repeals § 16-1031.

No effective date.

Mar. 1.

CHAPTER 137 authorizes the county treasurer to pay to an
SB 81 irrigation district certain funds collected on
behalf of the district for reserve fund pur-
poses, giving the board of commissioners
authority to invest same, and to pay excess
monies in the United States contract fund to
the district for use in meeting other obli-
gations of the district.

Introduced by
Hibbard and
others

Amends § 89-1811.

No effective date.

Mar. 1.

CHAPTER 138....relates to the licensing of motor vehicles,
SB 83 amending sections having to do with transfer
of title, sales of new and used motor ve-
hicles, issuance of stickers to be affixed
to the rear window of new and used vehicles,
to remain thereon during the ten-day grace
period for making application for registra-
tion of such vehicle.

Introduced by
Graham and
others

Amends §§ 53-108, 109, 146, 147.

No effective date.

Mar. 1.

CHAPTER 139....makes Montana traffic laws applicable to forest
SB 91 development roads, except portions thereof
designated as special service roads, and con-
fers law enforcement jurisdiction upon the
Montana Highway Patrol and sheriffs of this
state to enforce the traffic laws on such roads.

Introduced by
Hafferman
and Bennett

No effective date.

Mar. 1.

CHAPTER 140....provides for the payment of compensation for
SB 106 a "healing period" in addition to that allowed
for loss of a specified member of the body,
limits the healing period to 26 weeks and sets

Legislative Review 1971

Introduced by the weekly rate as that provided in section
Siderius and 92-701.
others

Amends § 92-709.

No effective date.

Mar. 1.

CHAPTER 141....increases the maximum bonding requirement of
SB 107 employers electing to become bound by Plan 2
of the Workmen's Compensation Act to \$100,000
from \$20,000.

Introduced by
Siderius and
others

Amends § 92-1004.

No effective date.

Mar. 1.

CHAPTER 142....increases the minimum annual assessment of
SB 108 insurers of employers electing to be bound by
Plan 2 of the Workmen's Compensation Act to
\$200.00 from \$10.00.

Introduced by
Drake and
others

Amends § 92-1005.

No effective date.

Mar. 1.

CHAPTER 143....increases the assessment to three hundredths
SB 110 of one percent from two hundredths of one per-
cent of the annual payroll of employers elect-
ing Plan No. 1 of the Workmen's Compensation
Act and provides the board "may" levy the assess-
ment, rather than "shall".

Introduced by
Keenan and
others

Amends § 92-902.

No effective date.

Mar. 1.

CHAPTER 144....repeals Chapter 6, Title 41, R.C.M. 1947,
SB 119 which required employers to make a quarterly
report of alien employees to the Industrial
Accident Board.

Introduced by
McDonald and
others

Repeals §§ 41-601 - 604.

No effective date.

Mar. 1.

CHAPTER 145....relates to officers of private corporations
SB 121 who may elect not to be bound as employees
under the Workmen's Compensation Act and em-
powers the Industrial Accident Board to pro-
mulgate rules and regulations governing such
election and in all cases to approve the elec-
tion.

Introduced by
Hafferman and
others

Amends § 92-208.

No effective date.

Mar. 1.

CHAPTER 146
SB 127 deletes the provision that salaries and wages
paid during vacation periods shall not be

Legislative Review 1971

Introduced by Lynch and others included in computing payrolls of workmen employed in hazardous occupations under the Workmen's Compensation Act.

Amends § 92-1121.
No effective date.

Mar. 1.

CHAPTER 147...provides that the reduction or management of forest fire hazards shall be in keeping with modern and progressive forest practices and more effective fire control; increases the amount to be paid by the owner or operator where slash is created to \$2.00 from \$1.00 per 1,000 feet log scale to the state forester under fire hazard reduction contracts and provides the forester may require a cash bond, equivalent to the contract price.

SB 134

Introduced by Northey and others

Amends §§ 28-408, 410, 412.
Repeals §§ 28-401- 403.
No effective date.

Mar. 1.

CHAPTER 148...authorizes the board of railroad commissioners to grant temporary motor carrier authority in cases of immediate and urgent need, such authority to be granted for not more than 90 days and in case of renewal to not more than an aggregate of 120 days.

SB 157

Introduced by Moritz and others

Repeals § 8-130.
No effective date.

Mar. 1.

CHAPTER 149...requires inspection of livestock before a change of ownership to a feeder purchaser; defines "feedlot" and "feeder purchaser."

SB 166

Introduced by Rugg and others

Amends §§ 46-801 - 804.
No effective date.

Mar. 1.

CHAPTER 150...extends provisions of sections 60-131.1 - 60-131.13 to include unitization of pools or parts thereof in a field for primary recovery of gas.

SB 167

Introduced by Stephens and others

Amends §§ 60-131.1 - 131.3, 131.6, 131.9.
Effective upon passage and approval.

Mar. 1.

CHAPTER 151...provides that a domestic stock insurer may merge or consolidate with one or more domestic or foreign stock corporations authorized to transact business in this state.

SB 173

Introduced by Boylan and Hanks

Amends § 40-4745.
Effective upon passage and approval.

Mar. 1.

1 duties of the state

all not circumvent

Mar. 1.

\$2,500 the amount

nt of public welfare

g function and ad-

08, 523.

Montana the cession

d approval. Mar. 1.

electors' quali-

Legislative Review 1971

Introduced by public debt or liability except such quali-
Cox by fications as are valid by or pursuant to the
request Montana Constitution; provides procedure for
hearing and determination of any issue raised
with reference to such qualifications; limits
to a reasonable time the period within which
such issues may be raised.

Amends §§ 23-2701, 2702, 2703, 23-3012, 4201,
11-2217, 2275, 2271, 2306, 2310, 2404, 3906,
16-2021, 2022, 2026, 93-2612, 1-804.

Effective upon passage and approval. Mar. 1.

CHAPTER 159....an Act to submit to the qualified electors of
HB 52 Montana an amendment to Section 2, Article IX,

Introduced by legal voting age to 18 years of age, changing
Bardanouve the period of residency to 30 days and de-
and others leting the requirement that a voter be a tax-
payer on certain issues, and removing obsolete
language.

No effective date.

Mar. 3.

CHAPTER 160....pertains to store licenses, deleting the pro-
HB 71 vision that all stores maintained by one
applicant may be listed on one application

Introduced by blank, provides that all store licenses shall
Burnett and lapse on December 31st of each year and that
Johnston applications for renewal must be made by De-
cember 31st of each year, and excludes vending
machines from the provisions of the Act.

Amends §§ 84-2402, 2404, 2410.

No effective date.

Mar. 3.

CHAPTER 161....removes the requirement that a copy of the
HB 180 order determining inheritance tax be mailed
to the state treasurer.

Introduced by
J. Murphy

Amends § 91-4437.

No effective date.

Mar. 3.

CHAPTER 162....provides for election for annexation of ele-
HB 218 mentary school districts by community college
districts upon petition of 10% of the register-
ed electors of the elementary district, de-
leting the provision that such election be
held upon the resolution of the community
college district board of trustees.

Amends § 75-8125.

No effective date.

Mar. 3.

Legislative Review 1971

CHAPTER 163....requires the secretary of the board of trustees of community colleges to give each member a 48-hour written notice of all special meetings.

Introduced by
Hims1 and
others

Amends § 75-8117.
No effective date.

Mar. 3.

CHAPTER 164....pertains to the determination of approval or disapproval of propositions to organize a community college district and sets out the subsequent procedures if approved.

Introduced by
Hims1 and
others

Amends § 75-8112.
No effective date.

Mar. 3.

CHAPTER 165....authorizes the department of institutions to purchase services in local communities for mentally retarded persons, provides for non-profit corporate boards to administer such programs locally; provides for the allocation of appropriated monies, for the approval of programs; and for the administration of the programs by the department of institutions.

Introduced by
Marbut and
others

Effective upon passage and approval. Mar. 3.

CHAPTER 166....amends the statute providing penalties for giving false information concerning qualifications as a voter in city elections under a commission or under a commission manager form of government by stating those requirements as to residence and age as "residency requirements for voting as provided by the constitution of the state of Montana" and "of the minimum age provided by the constitution of Montana."

Introduced by
Keller and
Nichols

Amends §§ 11-3116, 3229.
Effective upon passage and approval. Mar. 3.

CHAPTER 167....pertains to the assignment of insurance policies and provides for the assignment of the incidents of ownership of group insurance certificates.

Introduced by
Haines and
Mather

Amends § 40-3729.
No effective date.

Mar. 3.

CHAPTER 168....removes the age requirement as a qualification for professional licenses or certificates for chiropodists, teachers of cosmetology, physicians, certified public accountants, veterinarians,

HB 452

Legislative Review 1971

Introduced by physical therapists, morticians, nursing home
Towe and administrators, attorneys and pharmacists.
Brown

Amends §§ 66-603, 803, 1027, 1506, 1819, 1820,
2204, 2502, 2708, 3103, 93-2001.
No effective date. Mar. 3.

CHAPTER 169....amends the unemployment compensation law by
HB 505 fixing the minimum weekly benefit amount at
\$12 and increasing the maximum amount to \$47
after July 1, 1971, and increasing the maxi-
mum to \$52 effective January 1, 1972, and pro-
vides that after July 1, 1971, the weekly bene-
fit amount shall be 1/26 of total wages paid
during the quarter of highest earnings.

Amends § 87-103.
No effective date. Mar. 3.

CHAPTER 170....provides for the support of the government of
HB 575 Montana for the years 1971 and 1972.

Introduced by Effective upon passage and approval. Mar. 3.
Nichols

CHAPTER 171....amends the Montana Food, Drug and Cosmetic
SB 42 Act to include packaging and labeling.

Introduced by Amends §§ 27-702, 703, 721.
Mackay No effective date. Mar. 3.

CHAPTER 172....prohibits the possession of any key or de-
SB 60 vice, with the intent to commit larceny, de-
signed to open or break any parking meter,
Introduced by coin telephone or other coin-operated vending
Deschamps and machine.
others

Amends § 94-35-249.
No effective date. Mar. 3.

CHAPTER 173....provides for the dismissal of an action if
SB 61 the defendant is not brought to trial within
six months; provides the dismissal is a bar
to another prosecution for the same offense
Introduced by if it is a misdemeanor but is not a bar if
Turnage and the offense is a felony.
Lynch

Amends § 95-1703.
No effective date. Mar. 3.

CHAPTER 174....increases compensation rates during the period
SB 115 of total temporary disability.

Legislative Review 1971

Introduced by Amends § 92-701.
McKeon and No effective date. Mar. 3.
others

CHAPTER 175....pertains to Workmen's Compensation Act, de-
SB 120 fining "week" to mean five (instead of six)
days.

Introduced by
McDonald and Amends § 92-422.
others No effective date. Mar. 3.

CHAPTER 176....provides that a plaintiff filing a claim
SB 140 for the direct payment of money in an improper
county and who will not stipulate to change of
venue, must pay costs and fees of re-filing.

Introduced by
Lynch and Amends § 93-2908.
Turnage No effective date. Mar. 3.

CHAPTER 177....provides that livestock owners, employees of
SB 178 the fish and game department and the federal
fish and wildlife service may use dogs in pur-
suit of stock-killing mountain lions.

Introduced by
McCallum and Amends § 26-301.
others No effective date. Mar. 3.

CHAPTER 178....allows recovery of attorney's fee from parents
SB 189 upon successful recovery of damages for mali-
cious destruction of property by persons under
18.

Introduced by
Rehberg Amends § 61-112.2.
No effective date. Mar. 3.

CHAPTER 179....relates to certificates of registration and
SB 195 ownership of motor vehicles, providing that
the registrar of motor vehicles shall fur-
nish the applicant a certificate of owner-
ship subject to the provisions of § 53-110;
adds "motorcycle-type vehicles" to the defi-
nition of motor vehicles.

Amends § 53-107.
No effective date. Mar. 3.

CHAPTER 180....provides that no person shall make any exca-
SB 198 vation in any public street, alley, right-of-
way dedicated to public use for utility ease-
ment without first obtaining information con-
cerning possible locations of any underground
facility from each and every public utility,
city or any other person having the right to

Legislative Review 1971

bury underground facilities, provides procedure, and civil penalties for failure to comply.

No effective date.

Mar. 3.

CHAPTER 181....the "White Cane Act", restricts the use of
SB 201 white colored canes to blind people; allows
guide dogs to be taken anywhere the public is
Invited, provides that motorists and pedestri-
Introduced by Siderius and
Cochrane ans must come to a complete stop when approach-
ing a blind person carrying a white cane or
using a guide dog and take all precaution to
protect such blind person from injury; provides
a fine not to exceed \$25 for violation.

Repeals §§ 32-1143, 1144, 1145.

No effective date.

Mar. 3.

CHAPTER 182....relates to the regulation of motor carriers
SB 206 by the Board of Railroad Commissioners; directs
the board to fully secure adequate motor trans-
portation facilities for all users by encour-
Introduced by Sheehy and
Hazelbaker aging a system of common carrier motor trans-
portation within the state for the convenience
of the shipping public; the maintenance of such
a system is declared to be a public purpose;
empowers the board to authorize different rates
or schedules within the same places when such
different rates are justified by the differing
character of the services.

Amends §§ 8-103, 104.

No effective date.

Mar. 3.

CHAPTER 183....provides that a city or town shall not circum-
SB 244 vent statutory competitive bidding procedures
with respect to contracts for public work or
construction by dividing such work to be per-
Introduced by Lowe and
Cochrane formed into several contracts, separate work
orders or any similar device.

No effective date.

Mar. 3.

CHAPTER 184....provides that the Montana fish and game com-
SB 247 mission shall have authority to allow and
regulate the use of dogs for hunting mountain
lion.

Introduced by
Northey and
others

No effective date.

Mar. 3.

CHAPTER 185....adjusts fees charged and collected by the sec-
SB 254 retary of state for filing documents, furnishing

Legislative Review 1971

Introduced by copies thereof and provides a charge of \$5.00
McKeon for filing and recording any document or
 other than a standard form when recommended
 by the secretary of state.

Amends §§ 15-22-122, 15-2384, 25-102,
87A-9-403 - 407.

No effective date.

Mar. 3.

CHAPTER 186....creates a temporary mosquito abatement ad-
SB 258 visory council to study, investigate and
 make recommendations on the control of mos-
Introduced by quitoes in the Milk River Valley as a pilot
Goodheart and project for other areas of the state; pro-
others vides for a vector control specialist.

Effective during biennium July 1, 1971,
through June 30, 1973.

Mar. 3.

CHAPTER 187....moves Teton County from the first congressional
SB 279 district to the second.

Introduced by Amends § 43-107.
Dzivi and No effective date.
McOmber

Mar. 3.

CHAPTER 188....authorizes the state board of land commis-
SB 339 sioners to invest in first mortgages on un-
 encumbered real property when such property
Introduced by is leased by the mortgagor to any person,
James and firm or corporation, as a lessee, which lease
Moritz payments are guaranteed for the full term of
 the loan by any agency of the United States
 Government.

Amends § 79-1202.
No effective date.

Mar. 3.

CHAPTER 189....adds mountain lions to the definition of game
SB 22 animals in the fishing and hunting license law
 and corrects the spelling of the word "stizo-
Introduced by stedion."
Northey and others

Amends § 26-201.
No effective date.

Mar. 3.

CHAPTER 190....revises the Montana Occupational Disease Act
SB 209 in compliance with the mandate of the United
 States Congress as required by the provisions
Introduced by of Public Law 91-173 of the ninety-first Con-
Sheehy and gress, providing for the payment of benefits
others for total disability or death to a coal miner
 due to pneumoconiosis; sets standards and pro-
 cedures.

Legislative Review 1971

Amends §§ 92-1303, 1310, 1312, 1315, 1321.
Effective upon passage and approval. Mar. 3.

CHAPTER 191....adds care of persons in foster homes or
HB 4 group homes under the jurisdiction of the
aftercare division of the department of
Introduced by institutions to those institutions subject
Kvaalen and to per diem charges.
others

Amends § 80-1601.
Effective upon passage and approval. Mar. 3.

CHAPTER 192....relates to vocational rehabilitation and edu-
HB 13 cation, clarifying and defining terms.

Introduced by Amends §§ 41-801, 804, 808, 810.
Bardanouve No effective date. Mar. 3.
and Haines

CHAPTER 193....provides four-year terms for mayors and
HB 14 aldermen, and for police judges and city
treasurers in cities of the first, second
Introduced by and third class.
Robbins and
others

Amends § 11-709.
Effective December 31, 1972. Mar. 3.

CHAPTER 194....provides that studs on tires shall not
HB 26 protrude more than 1/16 of an inch beyond
the tire tread and that such tires may only
Introduced by be used between the first day of October and
Aber and the last day of May and makes violation of
others the Act a misdemeanor.

Amends § 32-21-149.
No effective date. Mar. 3.

CHAPTER 195....provides for the inclusion of information as
HB 38 to parents in a preliminary inquiry petition
concerning a child's delinquency.

Introduced by
Harrison Amends § 10-605.1.
No effective date. Mar. 3.

CHAPTER 196....provides that a local health officer may
HB 82 be a person with a master's degree in public
health or equivalent and appropriate experi-
Introduced by ence as determined by the executive officer;
Zody and provides a local health officer, who is a
others physician, may be placed in charge of a com-
municable disease hospital.

Amends §§ 69-4509, 4510.
No effective date. Mar. 3.

Legislative Review 1971

CHAPTER 197....defines long-term care facilities to include
HB 130 intermediate care facilities.

Introduced by Amends § 69-5201.
Campbell and No effective date. Mar. 3.
others

CHAPTER 198....increases liability insurance carried by
HB 171 school buses to \$10,000 (from \$7,500) per
person and to \$100,000 (from \$50,000) per
accident.

Introduced by
Brand and
others Amends § 75-7011.
No effective date. Mar. 3.

CHAPTER 199....provides that counties of the fourth, fifth,
HB 174 sixth and seventh classes may not levy more
than 15 mills to raise revenue for construc-
tion, maintenance or improvement of public
highways.

Introduced by
Swan by
request Amends § 32-3601.
No effective date. Mar. 3.

CHAPTER 200....allows teachers to attend state teachers'
HB 175 association annual sessions or remain at
work, performing duties related to their
position of employment, without loss of
salary; provides that if a teacher does
neither, he shall not be paid.

Introduced by
Campbell and
others Amends § 75-6111.
No effective date. Mar. 3.

CHAPTER 201....relates to the assessment of wheat, pro-
HB 242 viding for refund of assessments.

Introduced by Amends § 3-2911, 2913.
Gunderson and No effective date. Mar. 3.
others

CHAPTER 202....increases the gasoline license tax to 7%
HB 255 per gallon from 6-1/2%.

Introduced by Amends § 84-1847.
Dye and Effective upon passage and approval. Mar. 3.
Fasbender

CHAPTER 203....provides for issuance of physician's cer-
HB 273 tificates to doctors of osteopathy taking
and passing the examination given by the
state board of medical examiners, provides
for inclusion of one doctor of osteopathy
on the board, expands the definition of

Legislative Review 1971

approved medical schools, internships and residencies to include schools accredited by and internships and residencies approved by the American Osteopathic Association.

Amends §§ 66-1012, 1013, 1023, 1025, 1028, 1029, 1030.

No effective date. Mar. 3.

CHAPTER 204....relates to the taxation of aviation gasoline,
HB 518

Introduced by Dye and Aspevig
subjecting such gasoline to a 1¢ per gallon tax instead of the present 7¢, the tax to be allocated to the aeronautics commission, and removes the deduction, refund, exemption and evaporation provisions; defines "aviation dealer", and makes unlawful use of aviation gasoline a misdemeanor.

Amends §§ 84-1846, 1847, 1849, 1851, 1853, 1855.

Repeals § 84-1848.

Adds § 84-1855.1.

No effective date. Mar. 3.

CHAPTER 205....authorizes the state board of land commission-
HB 572

Introduced by Bardanouve
treasurer determined to be surplus by the state board of land commissioners.

Amends § 79-1202.

Repeals §§ 79-303, 304.

No effective date. Mar. 3.

CHAPTER 206....allows city councils to construct or replace
HB 6

Introduced by Scott and others
alley approaches without the formation of special improvement districts; provides for written notice to property owners; allows city councils to levy annually an assessment against each lot or parcel of land having access to said property by way of the alley approach constructed or replaced.

Adds § 11-2226.1.

No effective date. Mar. 4.

CHAPTER 207....adopts and legalizes the second replacement
HB 7

Introduced by Scott and others
of Part 1 of Volume 4, and replacement Volume 8 of the Revised Codes of Montana as prima facie the laws of Montana.

Effective upon passage and approval. Mar. 4.

Legislative Review 1971

CHAPTER 208....the "1971 Bond Validating Act."

HB 55

Effective on passage and approval. Mar. 4.

Introduced by
Mather and
others

CHAPTER 209....requires licensed new or used truck or
HB 189 trailer dealers to secure a demonstra-

tion permit for purposes of demonstration
only, fee to be \$8.00 for each permit, per-
mits to be good for seven days; provides for
penalty for violation.

Introduced by
Sverdsten and
Swan

Repeals §§ 53-118.1 - 118.5.
No effective date.

Mar. 4.

CHAPTER 210....prohibits insurers of physicians, surgeons,
HB 199 dentists, registered nurses, physical thera-
pists, podiatrists, psychologists, osteopaths,
Introduced by chiropractors, optometrists, pharmacists,
Scott veterinarians, or licensed hospitals as em-
ployer of any such person, from cancelling
or increasing the premium on a professional
liability policy because of claims, demands
or lawsuits that are determined to be un-
founded or where nonliability is established.

No effective date.

Mar. 4.

CHAPTER 211....relates to the powers and duties of the
HB 352 state board of equalization as to the valu-
ation, assessment and apportionment to counties
of telegraph or telephone microwave electronic
equipment which has no physical connection
with the total system but is an integral part
of such system for tax purposes, provides for
a fair apportionment between the counties
utilizing commonly recognized methods of
apportioning as shall be just and equitable.

Introduced by
Nelstead and
others

Amends § 84-708.

Effective on passage and approval. Mar. 4.

CHAPTER 212....provides alternative licensing fees on out-
HB 444 of-state truck-trailer combinations; provides
that such duly licensed vehicles may be moved
in the local delivery zone without payment of
additional fees; provides for permits from
the state highway commission before such ve-
hicles may be used in local service.

Introduced by
Glennen and
Laas

Amends § 32-3302.1.

No effective date.

Mar. 4.

Legislative Review 1971

CHAPTER 213....relates to the Montana Credit Union Act;
SB 78 changes the dividend period; provides the board may appoint an executive committee of three directors to act for it in the purchase and sale of securities, borrowing of funds and the making of loans to other credit unions; provides new regulations for the making of loans, determining and regulating reserves and declaration and payment of dividends.

Introduced by
Gilfeather
and others

Amends §§ 14-143, 145, 148, 149, 150.
No effective date.

Mar. 4.

CHAPTER 214....to prevent an accumulation of unneeded records and files, allows the registrar of motor vehicles to destroy all records and files which have ceased to be of any value, deletes the requirement that upon annual renewal the registrar shall notify the legal owner of the registration number assigned to a registered owner; deletes requirement that applications for registration of motor vehicles must be in quintuplet.

Introduced by
Keenan and
McKeon

Amends §§ 53-101, 108, 114.
No effective date.

Mar. 4.

CHAPTER 215....permits free motor vehicle license plates to permanently and totally disabled veterans of the armed forces of the United States whose disability is service connected; provides penalty for those attempting to wrongfully secure such free license plates.

Introduced by
Reardon and
others

No effective date.

Mar. 4.

CHAPTER 216....transfers the duties in relation to the disposition of unclaimed property in the state from the state treasurer to the state board of equalization.

Introduced by
Thiessen and
others

Amends §§ 67-2211 - 2226.
No effective date.

Mar. 4.

CHAPTER 217....relates to succession to and distribution of estates, adding grandchildren of any deceased brother or sister, by right of representation, to those who may inherit when a decedent leaves neither issue, husband, wife, father or mother.

Introduced by
Lynch

Amends § 91-403.
No effective date.

Mar. 4.

Legislative Review 1971

CHAPTER 218....provides for the recording in the office of
SB 314 the county clerk and recorder of abstracts
of acknowledged or proved instruments such
Introduced by as deeds, grants, transfers, contracts to
Gilfeather sell or convey real estate and mortgages of
and Turnage real estate, releases of mortgages, powers
of attorney to convey real estate and leases.

Amends §§ 16-2902, 73-107, 114, 115, 116.
No effective date. Mar. 4.

CHAPTER 219.... creates a permanent division of criminal
HB 353 investigation within the office of the attorney
general provides for the appointment of agents
Introduced by by the attorney general and qualifications and
Dye and others duties of such agents; provides that the loca-
tion of such division of criminal investigation
shall be at the discretion of the attorney gen-
eral.

Amends §§ 82-414 -420.
Effective upon passage and approval. Mar. 4.

CHAPTER 220....redefines unzoned commercial or industrial
HB 169 areas along highways for outdoor advertising
purposes; provides that the attorney general
Introduced by seek a court determination as to whether
Scott this Act is in compliance with the Federal
Highway Beautification Act of 1965; provides
that no sign shall be removed until federal
funds are available as provided by the federal
Act of 1965.

Amends §§ 32-4705, 4712 - 4714.
Effective upon passage and approval. Mar. 4.

CHAPTER 221....provides for the licensing and regulation of
SB 65 outfitting and guiding of hunting and fishing
parties for nonresident hunters and fishermen;
Introduced by provides for protection of private property and
Lowe and environmental resources.
others

Repeals §§ 26-901, 902, 303.2.
Effective May 1, 1972. Mar. 4.

CHAPTER 222....pertains to long-range building program bonds,
HB 286 deletes the provision that the interest rate
on such bonds shall not exceed five and one-
Introduced by half percent per annum; directs that 15% of
Watt and all money received from the 9¢ excise tax on
others cigarettes be credited to the sinking fund,
directs that all tax collected on tobacco
products under § 84-6802 be credited to the

Legislative Review 1971

sinking fund account; authorizes the issuing and selling of long-range building bonds in an amount not exceeding \$5,500,000 over and above the amount of bonds outstanding Jan. 1, 1971; increases state tax from 5¢ to 9% on each package of 20 cigarettes.

Amends §§ 79-2202, 2203, 2205, 84-5606, 5606.30.
Effective upon passage and approval. Mar. 5.

CHAPTER 223....authorizes the state board of education to
HB 360 collect student building fees from all students at Montana State University at Bozeman in the amount of \$9.25 per quarter.
Introduced by Dye and others

Repeals Chapter 372, Laws of 1969.
Effective upon passage and approval. Mar. 5.

CHAPTER 224....the "Montana Open Cut or Strip Mined Land
SB 70 Reclamation Act", to provide for the reclamation and conservation of land subjected to open cut or strip mining to preserve natural resources, aid in the protection of wildlife and aquatic resources, to safeguard and reclaim all agricultural, recreational, home and industrial sites subjected to or which may be affected by open cut or strip mining, to protect and perpetuate the taxable value of property, and to protect and promote the health, safety and general welfare of the people of this state.

Repeals §§ 50-1001 - 1017, but provides that contracts entered into under these sections shall remain in effect until terminated or completed.
Effective upon passage and approval. Mar. 9.

CHAPTER 225....clarifies and updates sections pertaining
SB 171 to boilers and engines, changes the requirements for members of the advisory committee, provides for notice by owners of boilers of changes made and provides for inspection of such changes; changes licensing classifications; revises qualifications, fees and regulations in regard to engineers' licenses.

Amends §§ 69-1501 - 1505, 1507 - 1517, 1601 - 1604, 1607, 1701, 1702; repeals 69-1518, 1605, 1703.
No effective date. Mar. 9.

CHAPTER 226....pertains to motor vehicle number plates, re-
SB 194 quires motorcycle dealers' plates to have the

Legislative Review 1971

Introduced by Keenan and McKeon distinctive letters "MCD" or the letter "C" and the word "DEALER" thereon; provides that number plates will next be issued in the year 1973 and in alternate years thereafter; raises the registration fee of dealers in motorcycles, trailers, including house trailers, from \$15 to \$30.

Amends §§ 53-106, 118, 120, 122.
No effective date.

Mar. 9.

CHAPTER 227....relates to the powers and duties of the
SB 234 board of railroad commissioners to change, alter or amend classifications, rates and rules for the transportation of freight by railroad within the state of Montana; provides that a railroad may not change or revise any rate, charge, classification or rule of service without first obtaining approval from the board; provides for procedure for obtaining such approval.

Amends § 72-118.
Effective upon passage and approval. Mar. 9.

CHAPTER 228....provides that persons convicted of possession
SB 270 of 60 grams or less of marihuana or 1 gram or less of hashish for the first offense shall be guilty of a misdemeanor; second or subsequent offense is punishable by a fine not to exceed \$1,000 or imprisonment in the county jail not to exceed one year or in the state prison not to exceed three years or by both fine and imprisonment; provides that a person aged 21 or under convicted of a first violation shall be presumed to be entitled to a deferred imposition of sentence; jurisdiction under this section to be exclusively in the district court.

Amends § 54-133.
Effective upon passage and approval. Mar. 9.

CHAPTER 229....allows cities and towns to furnish sewage
SB 296 service as well as water to industries and persons outside city limits; provides that any person, firm or corporation receiving such water or sewer service outside of the incorporated city limits may be required by the municipality as a condition to initiate such service to consent to annexation; consent to annexation is limited to that tract,

Legislative Review 1971

parcel or portion of same that is clearly and immediately and not potentially being serviced by the said water or sewer service.

Amends § 11-1001.

No effective date.

Mar. 9.

CHAPTER 230....creates the division of communications to
SB 302 provide communication services to all agencies of state government in the department of ad-

Introduced by ministration; provides the state controller
Bertsche and shall appoint an administrator, provides quali-
others fications for such position and powers and duties of such division.

No effective date.

Mar. 9.

CHAPTER 231....encourages the enrollment of students in
SB 305 mineral engineering by providing for the waiving of non-resident tuition in excess

Introduced by of 2% of unit enrollment for nonresident
Vainio and students.
others

Amends § 75-8601.

No effective date.

Mar. 9.

CHAPTER 232....creates a capitol building and planning
SB 322 committee whose function will be to establish a master plan for the orderly devel-

Introduced by opment of future state buildings in the
Bennett and state capitol area; such committee to be
others under the supervision of the legislative council; provides \$20 per day and mileage for days actually engaged in the work of the committee for members thereof.

Effective upon passage and approval. Mar. 9.

CHAPTER 233....amends the Montana Consumer Loan Act to
HB 9 provide that those in the licensed business of making loans of \$1,000 or less may apply

Introduced by for a supplementary license to permit loans
Mather and over \$1,000 but not exceeding \$2,500; pro-
others vides for an additional fee for such supplementary license; fixes charges and method of computation of charges for such loans; raises the annual examination charge of the books, accounts and records of licensees from \$60 to \$100 per man per day required to conduct such examination.

Amends §§ 47-202, 204, 205, 211, 214 - 216.

No effective date.

Mar. 9.

Legislative Review 1971

CHAPTER 234....raises the maximum rate of interest on
HB 15 bonds issued and special assessments levied
and other evidence of indebtedness by

Introduced by counties, cities, towns, school districts,
Robbins and irrigation districts, drainage districts,
others special improvement districts or any other
governmental subdivision of the state;
changes those who may vote on such ques-
tions from a majority of taxpayers to
qualified electors.

Amends §§ 11-982, 1307, 2214.2, 2218, 2226,
2227, 2231, 2249, 2277, 2304, 2315, 2404,
3717, 3910, 16-1620, 2002, 2011, 2032, 2046,
2604, 4517, 32-3121, 3123, 3502, 3805,
35-115, 47-124, 75-7107, 7115, 7116, 7119, 7121,
81-1003, 89-1701, 1705, 1801, 2348, 2501,
2502, 3426.

Effective upon passage and approval. Mar. 9.

CHAPTER 235....allows corporations in computing income
HB 29 for tax purposes to deduct from gross in-
come interest income from obligations of

Introduced by the state of Montana or any political sub-
Himsl and division or municipality of the state of
others Montana; provides provisions of Act shall
apply to all taxable years commencing on
or after December 31, 1970, whether on a
calendar or fiscal year basis.

Amends § 84-1502.

Effective upon passage and approval. Mar. 9.

CHAPTER 236....exempts from personal state income tax the
HB 30 interest income from obligations of the
state of Montana, county, municipality, dis-

Introduced by trict, or other political subdivision thereof.
Himsl

Amends § 84-4905.

Effective upon passage and approval. Mar. 9.

CHAPTER 237....makes permanent the 2 and 3/4% tax to be
HB 42 paid by insurers, levied in 1969 for the
years 1969 and 1970, on net insurance pre-

Introduced by miums.

Giesick and
Yardley

Amends § 40-2821.

Effective upon passage and approval. Mar. 9.

CHAPTER 238....the Montana Environmental Policy Act which
HB 66 declares a state policy which will encour-
age productive and enjoyable harmony between
man and his environment; to promote efforts

Legislative Review 1971

Introduced by which will prevent or eliminate damage to
Darrow and the environment and biosphere and stimulate
others the health and welfare of man; to enrich the
understanding of the ecological systems and
natural resources important to the state;
establishes an environmental quality council.

Effective upon passage and approval. Mar. 9.

CHAPTER 239... provides for special or rural improvement
HB 96 district type of bonding for flood control
and water conservation projects and specifies
the sections in accordance with which such
Introduced by districts are to be established and financed.
Ulmer and
others

Amends § 89-3312.

No effective date.

Mar. 9.

CHAPTER 240.... changes age requirements to nineteen years
HB 98 of age in statutes related to sale and
possession of liquor and beer and penalties
for violations, levy of poll tax, bartending,
Introduced by marriage, holding civil office, adopting
Keller and children, definition of minors and adults,
others residence requirements for attendance at
University system, leasing of state lands
purchasing state lands, acting as juror, and
application for change of name.

Amends §§ 4-161, 330, 337, 413, 439, 502,
504, 506, 11-951, 1602, 41-1135, 1136, 48-
143, 59-301, 61-203, 64-101, 75-8702, 81-
407, 908, 93-1301, 1002, 94-35-106, 106.2.

No effective date.

Mar. 9.

CHAPTER 241.... amends the Montana Pharmacy Law by substi-
HB 113 tuting the word "intern" for "assistant
pharmacist" and provides for the regulation
of interns in accordance with national stand-
ards; increases the registration fee for
Introduced by examination of pharmacists and interns to
Christiansen \$25 from \$15 and the registration fee to \$15
and Ainsworth from \$5.00; provides for a renewal registra-
tion fee of \$30 upon default and reduces the
reinstatement period upon default of renewal
fee to one from two years.

Amends §§ 66-1501, 1502, 1504, 1506 - 1509,
1521.

No effective date.

Mar. 9.

Legislative Review 1971

CHAPTER 242....authorizes the state highway commission to
HB 118 appoint certain employees, namely, gross
vehicle weight division supervisors, scale
supervisors, and scalemen, as peace officers,
Introduced by giving them power of arrest in specified
Christiansen instances having to do with motor vehicle,
and others weight, size, licensing and permit violations,
setting out the statutes for violation of
which they shall have authority to make
arrests; provides for uniforms, badges,
and for arrest duties and procedures.

No effective date.

Mar. 9.

CHAPTER 243....requires the county registrar of electors
HB 177 to record the resident school district of
each person registering to vote to allow
the preparation of registered elector lists
Introduced by for each school district of the county.
Campbell and
others

Amends §§ 23-3023, 3027.

No effective date.

Mar. 9.

CHAPTER 244....authorizes the use of dealers' license
HB 195 plates by special mobile equipment dealers.

Introduced by Amends §§ 32-3707, 53-118.
Lockrem and No effective date.
others

Mar. 9.

CHAPTER 245....authorizes the Montana highway patrol board
HB 203 to make, promulgate and amend rules and
regulations which prescribe procedures and
practice requirements of the Montana highway
Introduced by patrol.
Campbell and
Wolf

Amends § 31-103.

Effective upon passage and approval. Mar. 9.

CHAPTER 246....pertains to absentee ballots, provides for
HB 213 protection from adhesion of the gummed flap
on the return envelope, instructions for
voter in cases of adhesion, and instructions
Introduced by as to type of writing instruments which may
Haines and be used to mark the absentee ballot.
others

Amends § 23-3706.

No effective date.

Mar. 9.

CHAPTER 247....provides that electors whose United States
HB 214 service or employment has terminated too late
for them to register in person to vote in the
next election, may have up to 12 noon on the

Legislative Review 1971

Introduced by day before such election to register; pro-
Haines and vides qualification and procedure.
others

Adds § 23-3724.

No effective date.

Mar. 9.

CHAPTER 248....provides that any oath pertaining to ab-
HB 215 sentee voting required for electors in the

Introduced by member of the merchant marine designated for
Haines and this purpose, the head of any department or
others agency of the United States, or any civilian
employee designated by the head of any depart-
ment or agency of the United States.

Amends § 23-3720.

No effective date.

Mar. 9.

CHAPTER 249....defines "elector in the United States
HB 216 vice" to include any member of the merchant
marine of the United States and spouse and
dependents and any citizen of the United States
temporarily residing outside the United States
and the District of Columbia, spouse and de-
pendents residing with him.

Amends § 23-3718.

No effective date.

Mar. 9.

CHAPTER 250....relates to the use of the federal post card
HB 217 application in absentee voting for electors
in the United States service, setting out
procedure to be followed by registrar and
Introduced by provides that a federal post card application
Haines and received from an elector in the United States
others service within 45 days preceding an election
shall be treated as a simultaneous application
for registration and for ballot.

Amends § 23-3721.

No effective date.

Mar. 9.

CHAPTER 251....requires that itemized statements of candi-
HB 234 dates for public office must be held by the

Introduced by officer with whom they are filed for the
Giesick and term of office to which they relate, rather
others than six months after the election to which
they relate.

Amends § 94-1436.

No effective date.

Mar. 9.

Legislative Review 1971

CHAPTER 252....requires licensing of persons engaged in
HB 243 mining exploration and related activities,
requires permits for the conduct of devel-
Introduced by opment, mining and related activities; pro-
Fagg and vides for the reclamation of explored, devel-
others oped and mined land; provides for administra-
tion and enforcement by the board of state
lands and investments, and provides appeal
procedure.

Effective upon passage and approval. Mar. 9.

CHAPTER 253....eliminates the 50 mile per hour speed limit
HB 390 for trucks over 8,000 pounds and sets the
speed limit for such trucks at 65 miles per
Introduced by hour on interstate and four-lane highways
Laas and and 60 miles per hour on primary and second-
others ary highways, the night limit for such trucks
not to exceed that set for automobiles.

Amends § 32-2148.
No effective date.

Mar. 9.

CHAPTER 254....provides that the registration of an ab-
HB 399 sentee voter shall not be cancelled where
ballot received too late, provides for the
Introduced by printing of a nominee's name on ballot where
Keller and nominated by more than one party, requires
Nichols election judges to mark precinct register
book in primary (as well as general or special)
elections, revises certain procedures relating
to absentee ballots and to filling of vacancies
of candidates for political office.

Amends §§ 23-3013, 3509, 3610, 3709, 3321.
No effective date.

Mar. 9.

CHAPTER 255....includes sidewalk, curb and alley approach
HB 417 warrants in the provisions for establishing
and procedures for special improvement dis-
Introduced by trict revolving funds.

Glennen and
others

Amends §§ 11-2269 - 2272.
No effective date.

Mar. 9.

CHAPTER 256....relates to payments to the superintendent of
HB 432 banks for supervision and examination; sets
the payment to be made by banks and invest-
Introduced by ment and trust companies at \$400 for super-
Fagg and vision and 10¢ for each \$1,000 of total assets
Patrick for examination; sets the cost of examinations
of counties, cities and towns at \$80 per day
for each person engaged in the examination;

Legislative Review 1971

for special examinations of county, city, town, school district, irrigation district, high school or other county or municipal office, \$80; for county free high schools, school districts, \$70; irrigation districts, \$70, and for special examinations of banking establishments, \$100, all to be paid into the general fund.

Amends §§ 5-908, 82-1002, 1008, 89-2107, 5-910.

Repeals §§ 5-903 - 907.

No effective date.

Mar. 9.

CHAPTER 257...requires that the list prepared by the Montana highway patrol from its driver license registration file of persons reaching voting age be compiled on a county by county basis.

Introduced by
Towe and

J. Murphy

Amends § 23- 3001.

No effective date.

Mar. 9.

CHAPTER 258...includes election clerks in the provisions relating to the appointment and instruction of election judges.

Introduced by
Warfield

Amends §§ 23-3201 - 3204, 3206.

No effective date.

Mar. 9.

CHAPTER 259...extends a contractual right to attorney fees granted to one party to a contract to the prevailing party in any lawsuit on such contract whether or not the contract expressly provides for such fees to the prevailing party.

Introduced by
Hall

No effective date.

Mar. 9.

CHAPTER 260...pertains to probate of estates, provides if an estate has not been distributed in its entirety and the executor or administrator discharged within two years from the date of initial appointment, that the clerk of the district court shall notify the district judge who shall notify the executor or administrator to appear and show cause why such estate has not been distributed; if good cause does not exist the judge shall make an order directing distribution within 30 days and the administrator or executor and his attorney shall receive no fee or other compensation from such estate.

Introduced by
Thiessen and
others

Legislative Review 1971

Amends § 91-3906.
No effective date.

Mar. 10.

CHAPTER 261....includes as persons eligible for medical
SB 47 assistance under Title XIX of the Federal
Social Security Act of 1935, as amended,
Introduced by those who are in state operated institu-
Groff and tions; provides payments on behalf of such
others persons shall be made only from funds appro-
priated for this purpose, as such funds are
available; provides that counties need not
reimburse state for payments made for persons
receiving medical assistance who are patients,
inmates or residents of state-operated in-
stitutions.

Amends §§ 71-211, 402, 604, 1202, 1512,
1516, 1517, 1519.
No effective date.

Mar. 10.

CHAPTER 262....establishes a law concerning cancellation of
SB 51 automobile liability insurance policies; pro-
vides insurers must give at least 30 days
Introduced by written notice; insurer must furnish grounds
Lynch and for such cancellation within 15 days of written
others request of insured for same; notice of cancel-
lation effective only if based on nonpayment
of premium or revocation of driver's license;
provides exceptions, notice and penalties.

No effective date.

Mar. 10.

CHAPTER 263....allows trustees of any school district with
SB 155 the consent of the county attorney to employ
any attorney licensed in Montana to assist the
county attorney in school bond proceedings;
Introduced by provides the county attorney shall be the
Rosell and legal adviser of school districts but, upon
others the consent of the county attorney, the trus-
tees may employ any licensed Montana attorney
to perform legal services in connection with
school board business.

Amends §§ 75-7125, 75-8305.
No effective date.

Mar. 10.

CHAPTER 264....provides that clothing and personal needs
SB 156 as well as board and room be provided by
the department of public welfare for depend-
Introduced by ent and neglected children placed in foster
Lowe and homes or licensed private institutions.
others

Amends §§ 10-524, 525.
No effective date.

Mar. 10.

Legislative Review 1971

CHAPTER 265....increases the annual salaries of county
SB 169 treasurers, clerks and recorders, clerks of
court, county attorneys, sheriffs, county
Introduced by assessors, county superintendents of schools
Lynch and and county surveyors; provides that county
others sheriffs as well as county superintendents
of schools shall receive an additional \$400
per year.

Amends § 25-605.

No effective date.

Mar. 10.

CHAPTER 266....pertains to license fees collected by the
SB 212 state board of equalization, deletes provi-
sion enabling the board to pay operating
Introduced by expenses for collection of such fees prior
Mather and to the deposit of such fees as revenue in
others the general fund.

Amends §§ 84-2412, 3508.

No effective date.

Mar. 10.

CHAPTER 267....adopts a modified accrual basis of accounting,
SB 213 instead of a cash basis, for state expendi-
tures as requested by House Joint Resolution
Introduced by No. 9 of the 1969 Legislative Assembly.
Mackay and
others

Amends §§ 59-701.1, 701.2, 82-109.

No effective date.

Mar. 10.

CHAPTER 268....sets out more precise state fiscal control
SB 215 measures and accounting procedures; allows the
transfer of funds from one account to another
Introduced by as a temporary loan; provides for procedure
Mackay and for refund of moneys paid into the state
others treasury through error; provides the state
controller may establish procedures for can-
celling and writing off uncollectible accounts
carried on the books of various state agencies;
authorizes the state controller where it is to
the best interest of the state to require that
all moneys received by any agency of the state
to be immediately deposited to the credit of
the state treasurer.

Amends §§ 79-414, 415, 603, 82-110.

No effective date.

Mar. 10.

CHAPTER 269....authorizes the state board of land commission-
SB 220 ers to invest moneys in the long term invest-
ment fund in obligations or stock of the United
Introduced by States postal service; and moneys in the long
Thiessen and short term investment funds in interest
and others

Legislative Review 1971

bearing certificates of deposit in banks located in Montana.

Amends § 79-1202.
No effective date.

Mar. 10.

CHAPTER 270....requires the head of each state agency to
SB 221 immediately notify the legislative auditor
in writing upon the discovery of any larceny,
Introduced by or embezzlement, actual or suspected, in-
Mackay and volving state moneys or property under his
others control or for which he is responsible.

Amends § 79-2312.
Repeals § 79-2313.
No effective date.

Mar. 10.

CHAPTER 271....places the administration of the Sanitariums'
SB 231 Registration Council Act under the jurisdic-
tion of the state board of health; redefines
Introduced by "council" to be the "advisory council", pro-
Rehberg vides for appointment, terms and duties of
members, provides that all fees collected by
the board of health for registration of sani-
tariums shall be held in a special fund and
used to defray the cost of administration of
the Act.

Amends §§ 69-3401 - 3405, 3407 - 3409.
No effective date.

Mar. 10.

CHAPTER 272....the "Executive Reorganization Act of 1971";
SB 274 complies with the constitutional amendment,
Chapter 1 of the Extraordinary Session, Laws
Introduced by of 1969, adopted at the general election Nov.
Select Commit- 3, 1970, and effective under the Governor's
tee on Execu- proclamation of Nov. 20, 1970; requires that
tive Reorgani- all executive and administrative offices,
zation boards, commissions, agencies and instrumen-
talities of the executive department of the
state government and their respective functions,
powers and duties, except for the office of
governor, lieutenant governor, secretary of
state, attorney general, state treasurer, state
auditor and superintendent of public instruc-
tion, shall be allocated by law among and
within not more than 20 departments by no
later than July 1, 1973; provides procedure
and structure of those 20 departments.

Repeals §§ 27-427, 59-901, 902.
Adds Title 82A, R.C.M. 1947.
Chapters 1 and 21 of section 1 effective upon
passage and approval.

Legislative Review 1971

Chapters 2 through 20 of section 1 effective on the date the Governor signs an executive order or on Dec. 31, 1972, whichever comes first.

Section 2 effective when Chapter 4 of section 1 of this Act is effective.

Section 3 effective when Chapter 2 of section 1 of this Act is effective. Mar. 10.

CHAPTER 273....relates to building restrictions and zoning
HB 79 and subdivision regulations by cities, towns and counties; provides for boards of adjustment and duties thereof, city, county and

Introduced by Robbins and city-county planning boards, a master plan and jurisdictional area, plats for subdivisions; planning and zoning districts.
others

Amends §§ 11-2702, 3801, 3810 - 3812, 3815, 3825, 3842 - 3844, 3846 - 3848, 3851, 16-4101, 4702, 4703, 4705.

Adds §§ 11-3830.2, 16-4711.

No effective date. Mar. 10.

CHAPTER 274....provides for the enrichment of certain kinds
HB 160 of flour and bread to increase the content of such essential ingredients normally present

Introduced by Knudsen and in wheat and to promote uniformity in the laws applicable to interstate and intrastate shipments of such foods; defines flour, bread and rolls; provides for enforcement by the state board of health and penalties.
others

No effective date. Mar. 10.

CHAPTER 275....amends the Motor Carrier Act to provide that
HB 205 bona fide farmers, ranchers or raisers of livestock, transporting livestock in their

Introduced by Glennen and own vehicles need not apply for a certificate of convenience and necessity from the board of railroad commissioners unless they transport livestock for hire as a commercial carrier, then they must apply for a class B certificate; provides a grandfather clause, and exceptions.
others

Amends § 8-101.

No effective date. Mar. 10.

CHAPTER 276....clarifies the powers of ex officio fire
HB 239 wardens to include the enforcing of any rule or regulation promulgated by the Mon-

Introduced by Haines and tana state board of forestry pursuant to this Act, and enforcing any state or federal forest laws.
Nichols

Legislative Review 1971

Amends § 28-125.
No effective date.

Mar. 10.

CHAPTER 277....amends sections relating to tax required of
HB 351 users of special fuels to delete liquid
petroleum gases from § 84-1832 and to in-
clude such gases in § 84-1832.1; provides
Introduced by for 7¢ per gallon tax on liquid petroleum
Gerke and gas; provides that out of state users oper-
others ating recreational passenger cars powered by
special fuels shall secure a special fuel
user's "courtesy" vehicle permit, such per-
mit to be nontransferable and valid for 90
days; provides for waiver of monthly tax
return for users who establish that such
monthly tax liability is or will be less
than \$10.

Amends §§ 84-1832, 1832.1, 1833, 1835.
Effective upon passage and approval. Mar. 10.

CHAPTER 278....validates and declares legal all levies
HB 401 and expenditures heretofore made and en-
gagements entered into by counties, cities
or towns for the purpose of the Municipal
Introduced by Airport Act and all elections held in
Judiciary counties, cities or towns for the purpose
Committee of creating indebtedness for airport pur-
poses wherein a majority of the vote cast
was in favor of such indebtedness.

Effective upon passage and approval. Mar. 10.

CHAPTER 279....authorizes the fish and game commission to
HB 438 promulgate and enforce rules and regulations
governing recreational uses of all public
reservoirs, public lakes, rivers and streams,
Introduced by including the operation of motor driven boats.
Swanberg and
others

Amends § 26-104.
No effective date. Mar. 10.

CHAPTER 280....allows city or town councils to create
HB 487 lighting districts on any street or public
highway and to assess costs for installa-
tion and maintenance to property within
Introduced by or without the city or town, whether abutting
McKittrick such district, and to collect such costs by
and others special assessment; provides conditions for
that property outside city limits.

Amends § 11-2201.
No effective date. Mar. 10.

Legislative Review 1971

CHAPTER 281....relates to county housing authorities;
HB 490 provides that area of operation of such
authority shall not include any city un-
less a resolution or ordinance shall have
been adopted by the governing body of
such city and voted on by a majority of
the electors within the corporate limits
of such city.

Amends §§ 35-128, 129.

Effective upon passage and approval. Mar. 10.

CHAPTER 282....provides that for mentally retarded and
SB 249 handicapped children residing in state
institutions who attend classes conducted
by a school within the local district, the
district wherein the parents or guardians
of such children reside shall pay tuition
to the district operating the school attended
and provides for transportation payments.

Amends § 75-7810.

No effective date.

Mar. 10.

CHAPTER 283....provides for the payment of judgments ob-
SB 7 tained by construction contractors and the
apportionment thereof to state highway
construction funds.

Introduced by
Hafferman and
others

Amends § 32-2605.

Effective upon passage and approval. Mar. 11.

CHAPTER 284....establishes that the use of certain whole
SB 92 blood and blood derivatives by physicians
and hospitals for the purpose of transfusion
is a service and not a sale; providing that
blood banks shall not be liable for such
products disbursed by them in the absence
of negligence if such products have been
tested by prescribed testing procedures
and requiring the labeling of all such
products sold by a blood bank as to such
testing and the date of the test.

Introduced by
Bennett and
others

No effective date.

Mar. 11.

CHAPTER 285....provides that all salaries of members of
SB 99 the highway patrol shall be paid out of
the earmarked revenue fund of the highway
department.

Introduced by
McDonald and
others

No effective date.

Mar. 11.

Legislative Review 1971

CHAPTER 286....provides the waiver of nonresident tuition
SB 142 for students shall not exceed at any unit

Introduced by Thiessen and Mackay of the Montana university system 2% of the
full time equivalent enrollment at that
unit during the preceding year.

Amends § 75-8601.

No effective date.

Mar. 11.

CHAPTER 287....relates to the practice of dentistry in
SB 175 the state of Montana and deletes the require-

Introduced by James and others ment that qualified persons must be citizens
of the United States in order to receive a
certificate to practice dentistry.

Amends § 66-905.

No effective date.

Mar. 11.

CHAPTER 288....extends the life of a driver's license from
SB 248 two to four years; allows a three month grace

Introduced by Committee on Highways and Transportation shall be the anniversary of the date of birth
four years or less after the date of issue;
allows the highway patrol board to stagger
initial license terms for the purpose of equali-
zing annual issuance of licenses; provides the
annual license fee shall be \$2.00 or fraction
thereof.

Amends § 31-135.

No effective date.

Mar. 11.

CHAPTER 289....deletes unnecessary language in § 75-8427
SB 251 by omitting the words "chapter 2" in (2) of
that section.

Introduced by James

Amends § 75-8427.

No effective date.

Mar. 11.

CHAPTER 290....relates to county park boards; removes the
SB 252 county clerk as the clerk of such board, pro-

Introduced by James and Stephens vides for the signing of warrants by the
secretary and counter-signing by the presi-
dent or other designated person; provides
for signing of contracts by park boards, pro-
vides for a secretary of the park board in
whose office all duly verified claims against
such board must be filed.

Amends §§ 16-4801, 4803 - 4805.

Effective upon passage and approval. Mar. 11.

CHAPTER 291....allows the owner of a state coal lease
SB 281 issued prior to July 1, 1967, which has a

Legislative Review 1971

Introduced by term of ten years or less, may exchange
Sheehy and same for a lease with a term of not more
others than 20 years; provides procedure.

Amends § 81-502.

No effective date.

Mar. 11.

CHAPTER 292....provides that "aid to dependent children"
SB 290 shall also include emergency assistance to
families with children as provided by the
Introduced by Federal Social Security Act; provides for
McKeon county share of participation in such emer-
gency assistance grants.

Amends §§ 71-502, 508.

No effective date.

Mar. 11.

CHAPTER 293....provides that in all civil actions where
HB 11 the relief asked for is under the sum of
\$10,000, a trial jury in the discretion of
Introduced by the trial judge may consist of six persons
Mather and and two-thirds of the jury may render a
Cox verdict; provides that where there is a six-
person jury each side shall have two peremp-
tory challenges.

Amends § 93-1205.

No effective date.

Mar. 11.

CHAPTER 294....provides that a person qualified to receive
HB 68 old age assistance who has no legal county
residence shall file application in the county
Introduced by in which he is residing and his assistance
Keller and shall be paid by the state until he can qualify
others as a legal resident of the county; if he moves
from one county to another he shall retain
legal residence in the original county until
he has resided in the second county for a
period of one year.

Amends § 71-402.

Effective upon passage and approval. Mar. 11.

CHAPTER 295....includes the lieutenant governor in those
HB 110 who may receive actual and necessary expenses
not to exceed \$40 per day when on state service
Introduced by away from Helena; allows elected officials to
Swan and receive reimbursement for instate as well as
Zimmer out of state travel when on state business.

Amends § 59-538.

No effective date.

Mar. 11.

Legislative Review 1971

CHAPTER 296....calls the constitutional convention to propose revisions, alterations or amendments to the Constitution of Montana; provides: the number of members shall be the same as the number of members of the House to be elected Nov. 7, 1972; qualifications for members; election; procedure for calling and conducting of the convention; for a constitution convention commission to assist the convention; appropriates funds.

Introduced by J. Murphy and others

Effective upon passage and approval.
Self destructs on June 30, 1973. Mar. 11.

CHAPTER 297....exempts benevolent associations from licenses and fees to be collected by the commissioner of insurance under § 40-2726; provides for an annual license fee for benevolent associations in the amount of \$25.

Introduced by Haines and others

Amends § 40-4917.
Enacts § 40-4918.
Effective upon passage and approval. Mar. 11.

CHAPTER 298....provides that any individual or group health insurance and hospital and medical service plan contracts, issued or delivered in this state more than 120 days after the effective date of this Act which provides for termination in regard to dependent children upon attainment of the limiting age, such termination shall not apply as to mentally retarded or physically handicapped dependent children.

Introduced by Marbut and others

Enacts §§ 40-3738, 3739.
No effective date. Mar. 11.

CHAPTER 299....provides that the county clerk of each county at the close of registration for voting purposes, shall send a list of those electors whose registrations have been cancelled because of a felony conviction to the secretary of state, who shall compile a list of all such electors and send a list to each registrar.

Introduced by Nelstead and others

Amends § 23-3014.
No effective date. Mar. 11.

CHAPTER 300....amends the section allowing each party in civil actions four peremptory challenges to conform with § 93-1205 which allows only two peremptory challenges where there are only six persons on a jury.

Introduced by Mather

Legislative Review 1971

Amends § 93-5010.
No effective date.

Mar. 11.

CHAPTER 301....relates to procedure for solicitation for
HB 449 bids by the state purchasing agent, provides that such solicitation must be advertised in at least one daily newspaper and that such solicitations need only be published for two instead of three consecutive weeks; provides that contracts for supplies may be for three instead of one year.

Introduced by
Zimmer and
others

Amends §§ 82-1917, 1918.
No effective date.

Mar. 11.

CHAPTER 302....extends to one year from six months the
SB 19 time for preparation of preliminary survey for a water conservancy district after receipt of request.

Introduced by
McGowan and
Deschamps

Amends § 89-3405.
No effective date.

Mar. 15.

CHAPTER 303....extends to one year from six months the
SB 20 time for preparation of feasibility reports for a water conservancy district after receipt of request.

Introduced by
McGowan and
Deschamps

Amends § 89-3407.
No effective date.

Mar. 15.

CHAPTER 304....relates to possession of any destructive
SB 24 device or explosive with the intent to commit a felony and makes such possession punishable by imprisonment in the state prison for a period of not more than ten years.

Introduced by
McGowan and
others

No effective date.

Mar. 15.

CHAPTER 305....requires big game hunters, outfitters and
SB 68 guides to wear not less than four hundred square inches of hunter orange material, excepts archers when big game season is open to hunting with bow and arrow only, and provides that failure to comply with this Act shall not be treated as evidence of contributory negligence.

Introduced by
Carl and
others

Amends § 26-302.
Effective May 1, 1972.

Mar. 15.

CHAPTER 306....attaches the water and waste water operators certification board to the state
SB 93

Legislative Review 1971

Introduced by board of health and provides it shall
Rehberg and serve as an advisory board to the board
Lynch of health in actions relating to the quali-
fications of water and waste water treatment
plant operators.

Amends §§ 69-5903, 5908, 5910.

No effective date.

Mar. 15.

CHAPTER 307....relates to the filing of certain forms with
SB 128 the Montana water resources board relative
to ground water appropriation and provides
Introduced by for a filing of a "notice of completion" for
McGowan and those who failed to file a "declaration of
Rugg vested ground water rights" before January
1, 1966.

Amends §§ 89-2911, 89-2913.

No effective date.

Mar. 15.

CHAPTER 308....defines "employee" to include vocational
SB 133 rehabilitation and other on-the-job trainees,
and members of a partnership and owners of
Introduced by sole proprietorships, if so electing, for
Hafferman and workmen's compensation coverage purposes;
others provides for notice of insurance to employ-
er's insurance carrier.

Amends § 92-411.

Effective upon passage and approval. Mar. 15.

CHAPTER 309....provides for licensing and regulation of
SB 144 the practice of falconry by the state fish
and game commission; makes some changes in
Introduced by bird nomenclature.

Introduced by
Northey and
others

Amends §§ 26-215, 26-501.

No effective date.

Mar. 15.

CHAPTER 310....revises the Montana mining safety law to
SB 170 update it so that it conforms and is equal
to the Federal Metal and Nonmetallic Safety
Introduced by Act in order that Montana may qualify as
Reardon and and have what is known as a "state approved
others plan".

Amends §§ 50-101, 102, 108, 118. Adds § 50-119.

Repeals §§ 50-103 - 107, 109 - 117.

No effective date.

Mar. 15.

CHAPTER 311....prohibits the dispensing of drugs by medical
SB 174 practitioners and their participation in
profits from the dispensing of such products;

Legislative Review 1971

Introduced by provides exemptions and grandfather clause.
James and
others No effective date. Mar. 15.

CHAPTER 312....amends the law pertaining to classification
SB 179 of property for taxation purposes by includ-
ing trailers affixed to the land and mobile
homes when owned by persons qualifying under
Class eight, and increasing the maximum in-
come of those qualifying under Class eight
to \$4,000 (from \$3,300) for single persons
and \$5,200 (from \$4,500) for married couples.

Introduced by
Gilfeather
and others

Amends § 84-301.
Effective upon passage and approval. Mar. 15.

CHAPTER 313....adds two divisions to the state department
SB 180 of administration, namely, data processing
and management systems; adds supervision of
data processing, duplicating and copying
facilities to the duties of the state con-
troller, provides for billing of agencies,
and authorizes the controller to establish
regulations governing the utilization of data
processing equipment, programs and data
processing communication networks.

Introduced by
Bertsche and
Cochrane

Amends §§ 82-3303, 82-3306.
No effective date. Mar. 15.

CHAPTER 314....increases salaries of certain elected state
SB 183 officials: Governor, \$25,000; chief justice,
\$24,000; justices of supreme court, \$22,500;
attorney general, \$19,000; state auditor,
\$15,000; superintendent of public instruc-
tion, \$17,500; railroad commissioners, \$14,000;
state treasurer, \$15,000; secretary of state,
\$15,000.

Introduced by
McKeon and
others

Amends § 25-501.
No effective date. Mar. 15.

CHAPTER 315....provides that minors may give legal consent
SB 202 to obtain psychiatric or psychological coun-
seling where the need for such counseling is
urgent and that they may not later disaffirm
such consent by reason of minority; provides
that physicians or licensed psychologists
providing service under this Act shall not
incur civil or criminal liability except for
negligent acts or omissions.

Introduced by
Sheehy

No effective date. Mar. 15.

Legislative Review 1971

- CHAPTER 316....the "Occupational Health Act of Montana",
SB 203 to provide for the health of the workers
of the state; provides for administration
Introduced by of the Act by the state board of health and
Sheehy and for the formation of an advisory committee;
others sets out powers and duties.
- Repeals §§ 69-4201 - 4203, 4205.
No effective date. Mar. 15.
- CHAPTER 317....amends the law pertaining to the classifi-
SB 263 cation of property for taxation purposes by
placing dwelling houses and lots of honor-
Introduced by ably discharged veterans who are 100% dis-
Rosell and abled due to a service-connected disability
others in Class five.
- Amends §§ 84-301, 302.
No effective date. Mar. 15.
- CHAPTER 318....raises the salaries of juvenile probation
HB 19 officers appointed by district judges from
\$9,000 per year or per diem basis for days
Introduced by actually spent in the performance of duties
Keller and to \$10,200 per year or at the rate of \$40
others per day for each day so spent.
- Amends § 10-622.
No effective date. Mar. 15.
- CHAPTER 319....makes it unlawful to place junked motor
HB 22 vehicles or the body portion thereof
between highwater channel banks of any
Introduced by stream or to reinforce banks of a stream,
Yardley and provides penalties.
Warfield
- No effective date. Mar. 15.
- CHAPTER 320....creates a state motor pool of all state
HB 34 owned vehicles; delegates the state highway
commission as the custodian of such motor
Introduced by pool; provides for use, regulation and label-
Marks and ing of state owned vehicles except those
others used in the service of the governor, attorney
general or highway patrol; provides penalties.
- Repeals §§ 53-501, 503-508, 510, 511-513.
No effective date. Mar. 15.
- CHAPTER 321....empowers the state highway commission to
HB 61 establish, maintain and operate either inter-
mittently or on a continuous schedule, weigh
stations; require all vehicles except pass-

Legislative Review 1971

Introduced by enger cars and pick-ups under 8,000 pounds,
Selstad to enter such weigh stations for weighing
and inspection to comply with all laws per-
taining to operation and safety requirements.

Amends § 32-1126.

No effective date.

Mar. 15.

CHAPTER 322....provides for the issuance of resort liquor
HB 106 licenses by the liquor control board; de-
fines a resort area; empowers the board to
determine such areas and establish rules and
regulations; provides for hearings; sets
annual fees for resort retail liquor licenses
within a given resort area as \$2,000 for each
license.

Introduced by
Scott and
others

Amends § 4-403.

Effective on passage and approval.

Mar. 15.

CHAPTER 323....enacts a Litter Control Law for uniform pro-
HB 112 hibition throughout the state of any and all
littering on public and private property; de-
fines "litter"; provides violators shall be
guilty of a misdemeanor and in lieu of fine
or imprisonment gives any court discretion
to require convicted violators to pick up
the litter they have deposited prior to exe-
cution of sentence.

Introduced by
Bradley and
others

Repeals §§ 32-1629, 1629.1, 1630, 1631.

No effective date.

Mar. 15.

CHAPTER 324....relates to fees, licenses and certificates
HB 137 of registration paid by members of the cos-
metology profession by raising such fees;
provides for a fee of \$3.50 for each student
enrolling in a registered cosmetology school.

Introduced by
Ulmer and
others

Amends § 66-815.

No effective date.

Mar. 15.

CHAPTER 325....makes permanent the license tax for natural
HB 143 gas distributors beginning January 1, 1969,
of .575 of 1 cent for each 1,000 cubic feet
of natural gas produced and sold.

Introduced by
Nichols and
Fasbender

Amends § 84-2102.

Effective upon passage and approval.

Mar. 15.

CHAPTER 326....makes permanent a telephone company license
HB 144 tax of 1.725% of gross income in excess of
\$250 quarterly; amends to include microwave
electronic equipment.

Legislative Review 1971

Introduced by
Fasbender and
Hemstad

Amends §§ 84-2601, 2602.
Effective April 1, 1971.

Mar. 15.

CHAPTER 327....provides that any teacher who has been
HB 166 dismissed may in writing with ten days

Introduced by
Knudsen and
others

appeal such dismissal, following such
appeal a hearing shall be held within
ten days.

Amends § 75-6107.
No effective date.

Mar. 15.

CHAPTER 328....an Act to prescribe that actions for pro-
HB 190 fessional negligence shall be commenced
within three years after the date of injury
or after the plaintiff discovers the in-
jury but in no case may such actions be
commenced after five years from the date of
injury.

Introduced by
Haines and
others

No effective date.

Mar. 15.

CHAPTER 329....provides the holder of any elective office
HB 208 under a mayor-council form of municipal
government may be removed at any time by
the qualified electors; provides procedure;
provides vacancy so created shall be filled
as prescribed in § 11-721, R.C.M. 1947.

Introduced by
Cox and
others

No effective date.

Mar. 15.

CHAPTER 330....allows municipalities alternative methods
HB 258 of assessing payments for special improve-
ment districts.

Introduced by
Ulmer and
Scott

Amends § 11-2214.
No effective date.

Mar. 15.

CHAPTER 331....allows the Montana Law Enforcement Academy
HB 266 advisory board to choose from the university
system of Montana a site most suitable for
the academy, directs the board to select
and hire such staff as it deems necessary
to implement this Act.

Introduced by
Lanthorn

Amends § 75-5206.
No effective date.

Mar. 15.

CHAPTER 332....increases witness fees in courts of record
HB 279 from \$6 to \$10 per day; in courts not of
record from \$1.50 to \$3 per day.

Introduced by
McKittrick
and others

Amends §§ 25-404, 409, 410.
No effective date.

Mar. 15.

Legislative Review 1971

CHAPTER 333....makes permanent the temporary corporation
HB 287 license tax of 6 and 1/4 per cent of net
income.

Introduced by
Christiansen Amends § 84-1501.
and others Effective upon passage and approval. Mar. 15.

CHAPTER 334....relates to vehicles, combination of vehicles,
HB 299 loads, objects or other things of a size and
weight exceeding statutory limits for moving
on state highways; provides conditions for
which the state highway commission may issue
special permits.

Amends § 32-1127.
No effective date. Mar. 15.

CHAPTER 335....the "Landowner Notification Act"; provides
HB 316 prospectors for minerals, miners or other
persons contemplating surface disturbance
by mechanical equipment other than hand
tools are required to first ascertain owner-
ship of the land and give notice in writing
to the owner and get his approval; provides
exceptions and penalties; provides owners or
lessors shall not be liable for injury to
any person on either owned or leased land.

No effective date. Mar. 15.

CHAPTER 336....adds jails to those buildings and facilities
HB 320 subject to sanitary inspections by the state
department of health.

Introduced by
Yardley Amends § 69-4118.
No effective date. Mar. 15.

CHAPTER 337....raises from \$5,000 to \$15,000 per year the
HB 329 amount which boards of county commissioners
may appropriate from the general fund for
the purchase, care and maintenance of fire-
fighting equipment for rural fire control.

Amends § 28-603.
No effective date. Mar. 15.

CHAPTER 338....provides that the owner of real property
HB 337 against which a mechanic's lien has been
filed may substitute a bond for the security
of the lien; provides such bond shall be
one and one-half times the amount of the
lien; provides that lien claimant shall
have an action upon the bond rather than

Legislative Review 1971

an action to foreclose the lien and the Statute of Limitations applicable to a lien foreclosure shall apply to an action upon such bond.

No effective date.

Mar. 15.

CHAPTER 339...permits the state board of equalization
HB 348 for good cause to grant railroad companies a reasonable extension, not to exceed 30 days, to file annual statement of railway freight car leases and payment of tax.
Introduced by Patrick and others

Amends § 84-4820.

Effective upon passage and approval. Mar. 15.

CHAPTER 340...allows boards of county commissioners to
HB 355 purchase or lease motor vehicles for the use of the sheriff without the consent of the sheriff; provides the board shall provide liability insurance for one privately owned vehicle used by the sheriff, one for the undersheriff and one for each deputy sheriff when the vehicles are used on official business, but this shall not apply to counties furnishing motor vehicles to the sheriff's department.

Amends § 16-2724.

No effective date.

Mar. 15.

CHAPTER 341...allows trustees of school districts to
HB 363 elect to issue warrants in payment of wages and salaries on a direct deposit basis to the employee's account in a local bank, provided the consent of the employee has been obtained and the employee is given an itemized statement of payroll deductions for each pay period.

Amends § 75-6810.

No effective date.

Mar. 15.

CHAPTER 342...provides for investment purposes that the
HB 364 endowment funds of school districts be deposited in (1) school district bonds of the district, (2) bonds of other school districts within the state, (3) first mortgage bonds, etc., of public utility corporations, (4) certificates of deposit of Montana banks, or (5) direct obligations of the U.S. Government, interest from such investments to be credited to the endowment fund.

Introduced by Keller and Patrick

Legislative Review 1971

Amends § 75-7309.
No effective date. Mar. 15.

CHAPTER 343....changes the day on which city and town
HB 374 elections shall be held from the first
Monday of April to the first Tuesday of
April of every second year.

Introduced by Nelstead and
others Amends § 11-709.
No effective date. Mar. 15.

CHAPTER 344....relates to insulation on guy wires
HB 377 attached to poles carrying electrical wires,
permits the use of single fiberglass strain
insulators in lieu of two strain insulators;
Introduced by Lee by provides for strength, wet flash over rat-
request ing and dry flash over rating for such in-
sulators.

Amends § 24-107.
No effective date. Mar. 15.

CHAPTER 345....removes as an exemption from adjusted gross
HB 406 income for income tax purposes dividends
from capital stock of national banks lo-
cated within the state of Montana, to be
effective for the taxable year beginning on
and after Jan. 1, 1971, in accordance with
Public Law 91-156, § 1; for taxable years
beginning on and after Jan. 1, 1972, in ac-
cordance with Public Law 91-156, § 2.

Amends § 84-4905.
Effective upon passage and approval. Mar. 15.

CHAPTER 346....provides that any person who, in the act of
HB 412 pursuing, taking or killing wildlife, in-
jures, wounds or kills any person and is
convicted thereof, shall lose all hunting
privileges and licenses for a period of 20
years unless assistance is rendered and the
incident duly reported; such person to be
responsible for and bear all costs incurred
by the state or county in rescue or removal
of injured or dead persons.

Amends § 94-35-269.
No effective date. Mar. 15.

CHAPTER 347....increases the per diem of members of the
HB 416 state aeronatics commission from \$10 to
\$20; increases maximum annual per diem
allowance from \$500 to \$1,000.

Legislative Review 1971

Introduced by Amends § 1-201.
Gunderson and No effective date. Mar. 15.
Laas

CHAPTER 348....an Act to establish uniform construction
HB 429 standards in mobile homes; empowers the
state building code council to promulgate
rules and regulations embodying the funda-
mental principles adopted, recommended or
issued by the United States of America
Standards Institute applicable to mobile
homes and recreational vehicles defined
in this Act; provides for establishment
of a schedule of fees for inspection of
plans for such homes and vehicles and in-
spection of individual units.

No effective date. Mar. 15.

CHAPTER 349....increases the audit fee the state examiner
HB 430 may charge for examination of extracurricu-
lar funds of schools to \$80 per day per man,
such fees to be credited to the general fund.

Introduced by
Fagg and
Patrick Amends § 75-6323.
No effective date. Mar. 15.

CHAPTER 350....provides that persons of 1/4 Indian blood
HB 457 or more and bona fide residents of the state
for at least one year prior to enrollment
in the Montana university system, showing
financial need, may enroll in the university
system without payment of fees, each unit
to make rules governing the selection of such
students.

Amends § 75-8705.
No effective date. Mar. 15.

CHAPTER 351....pertains to executive boards of units of the
HB 466 university; provides such boards shall meet
at least once in each quarter and have such
immediate direction and control, other than
financial, of the affairs of the respective
units as may be conferred by the regents.

Amends § 75-8511.
No effective date. Mar. 15.

CHAPTER 352....adds a nonvoting member to the board of
HB 481 education who shall be the students' repre-
sentative member of the board; provides
this member shall be the student body president

Legislative Review 1971

Introduced by of one of the six units of the university
Bardanouve system; provides for selection, term and
and others compensation.

Amends § 75-5602.
No effective date.

Mar. 15.

CHAPTER 353....reduces the population classification of
HB 517 first class elementary school districts
from 8,000 to 6,500; second class popula-
tion of 1,000 or more but less than 6,500.
Introduced by
Yardley

Amends § 75-6503.
No effective date.

Mar.15.

CHAPTER 354....relates to classification of property for
HB 580 taxation purposes; excepts poles, lines, etc.,
of co-operative rural electrical and tele-
phone associations within the incorporated
limits of a city or town in which less than
95% of the consumers are served by a coopera-
tive association from Class five and pro-
vides such property shall be in Class two.

Amends § 84-301.
No effective date.

Mar.15.

CHAPTER 355....provides for changed rates of license taxa-
HB 581 tion for strip coal mines; provides for a
changed exemption and how it may be applied;
designates the Montana state bureau of mines
and geology as the testing agency and auth-
orizes it to make rules and regulations; pro-
vides the tax credit in no instance shall
exceed one cent per ton on the coal removed
from the reclamation area.

Amends §§ 84-1302, 1303.
No effective date.

Mar.15.

CHAPTER 356....authorizes the issue and sale by the state
HB 610 board of examiners of limited obligation
highway bonds in a sum not to exceed \$7,710,442
for the purpose of acquiring a site for and
erecting and equipping a state highway com-
mission complex; provides such bonds shall
be payable solely from net proceeds from
gasoline taxation; provides for a special
sinking fund account.

Amends Ch. 377, §§ 1, 3, 4, 6, 7, Laws of 1969.
Amends § 32-2601.
Effective upon passage and approval. Mar.15.

Legislative Review 1971

CHAPTER 357....deletes the additional deduction of federal
HB 616 income taxes when a taxpayer chooses to use

the alternate deduction method of computing
Introduced by net income provided for in section 84-4908,
Nichols and to be effective for taxable years beginning
others on and after Jan. 1, 1971.

Amends § 84-4908

Effective upon passage and approval. Mar.15.

CHAPTER 358....provides for a net operating loss deduction
SB 88 in computing net income for corporation

license tax purposes, specifying modifica-
Introduced by tions; deletes inapplicable provision re-
Mathers,Groff lating to insurance companies.
(by request)

Amends § 84-1502

Effective upon passage and approval. Mar.15

CHAPTER 359....relates to workmen's compensation, deleting
SB 109 the \$5,000 limitation in payment of medical

benefits; deletes references to hospital
Introduced by contracts and requires hospitals to submit
McKeon and a yearly schedule of fees and charges limited
others to such charges as prevail in the same hos-
pital for similar treatment of private patients,
to be charged for treatment of injured workmen.

Amends § 92-706.

No effective date.

Mar.15.

CHAPTER 360....defines the disability necessary for a person
SB 111 to qualify for silicosis benefits as such as

to "render it impossible for him to follow
Introduced by continuously any substantially gainful occu-
Keenan and pation" and provides that if any person who
others is entitled to benefits under the Act is an
inmate of any state institution, benefits
shall not be paid him but shall be paid his
beneficiary.

Amends §§ 71-1001,1003

No effective date.

Mar.15.

CHAPTER 361....makes it a misdemeanor for a person other
SB 112 than a parent or guardian of a patient or

inmate of a state custodial institution to
Introduced by permit or assist such patient or inmate to
McKeon leave the institution without permission
from the properly authorized member of the
staff or proper court order.

No effective date.

Mar.15.

Legislative Review 1971

CHAPTER 362....makes it a misdemeanor to sell or distribute
SB 113 or to attempt to sell or distribute alcoholic beverages and drugs to patients or

Introduced by inmates of state custodial institutions.
McKeon

No effective date.

Mar. 15.

CHAPTER 363....relates to expenses payable to an injured
SB 116 workman receiving training by removing the words "away from home" as a condition under

Introduced by which such expenses are paid and increases
McKeon and living expenses to \$50 from \$30 per week
others and provides expenses may be paid rather than
shall.

Amends § 92-1403.

No effective date.

Mar. 15.

CHAPTER 364....revises the definition of "practice of en-
SB 226 gineering" to include "engineering planning

Introduced by service performed in connection with city,
Mackay county, regional and state planning"; in-
creases registration fees under the Act.

Amends §§ 66-2326, 2337, 2344.

No effective date.

Mar. 15.

CHAPTER 365....relates to the salaries of deputy sheriffs,
SB 229 providing that in counties of the first,

Introduced by second, or third class the board of county
Lyon and commissioners must fix same at not less than
others 75% nor more than 90% of the salary of the
officer under whom the deputy sheriff is
serving; provides that no deputy sheriff
presently employed may be paid less than he
is receiving on the effective date of this Act.

Amends § 25-604.

No effective date.

Mar. 15.

CHAPTER 366....provides for compensation for loss of hearing
SB 232 resulting from exposure to industrial noise,

Introduced by the Act to be administered under the industrial
Shea and accident board as part of the Workmen's Compen-
others sation Act. What did you say?

Adds § 92-710.

Effective Jan. 1, 1972.

Mar. 15.

CHAPTER 367....provides that persons 25 years old or younger
SB 242 sentenced to the state prison may be trans-

ferred to the Swan River youth forest camp;
changes the word "child" to "person" throughout

Legislative Review 1971

Introduced by the section.

Turnage,
Stein (by
request)

Amends § 80-2210.

Effective upon passage and approval. Mar. 15.

CHAPTER 368....provides for the commitment of a child under
SB 246 16 to the department of institutions for a

Introduced by
Bertsche and
Moritz

period not to exceed 30 days for the purpose
of evaluation of the child's suitability for
placement at a youth forest camp; provides
for such commitment and for return to the
court if found unsuitable; provides payment
of transportation costs by county of child's
residence.

Amends § 10-611.

Effective upon passage and approval. Mar. 15.

CHAPTER 369....provides that after completing 20 years or
SB 253 more of active service, if a policeman or

Introduced by
McKeon

officer elects to serve an additional one to
ten years, then the payment from the police
reserves fund shall be increased at the rate
of one percent per year of such additional
service up to a maximum of 60% of the last
year's average salary received as a monthly
compensation for services as an active mem-
ber of the police department.

Amends § 11-1821.

No effective date.

Mar. 15.

CHAPTER 370....allows the Montana water resources board,
SB 282 upon its own motion, to inspect and deter-
mine safety of dams or dikes.

Introduced by
Lynch and
others

Amends § 89-702.

No effective date.

Mar. 15.

CHAPTER 371....increases to \$4,000 from \$2,500 the expendi-
SB 288 ture of cities and towns without requiring
the letting of bids.

Introduced by
Lowe and
others

Amends § 11-1202.

No effective date.

Mar. 15.

CHAPTER 372....requires that the superintendent of public
SB 301 instruction shall coordinate educational
television in the state and provides for

Introduced by
Bertsche and
others

the appointment of an advisory committee.

No effective date.

Mar. 15.

CHAPTER 373....extends aid to dependent children to children
SB 317 whose father is unemployed but is honestly
and responsibly seeking proper employment;
Introduced by provides for funding.
Gilfeather

Amends § 71-508.

Effective July 1, 1972.

Mar. 15.

CHAPTER 374....prohibits insurers from canceling or re-
SB 318 fusing to renew policies providing fire
insurance on any home occupied by the in-
Introduced by sured as a domicile without first giving
Shea and the insured 30 days notice in writing; pro-
others vides penalty.

No effective date.

Mar. 15.

CHAPTER 375....relates to all-purpose levies of cities and
SB 321 towns; provides such levy shall not include
levies for bonded indebtedness or special
Introduced by improvement district revolving funds of muni-
Hanks and cipalities; such all-purpose levy not to ex-
others ceed 65 mills; provides for disposition of
such levy; provides for extraordinary levies.

Amends §§ 84-4701.1, .2, .3, .5, .6.

No effective date.

Mar. 15.

CHAPTER 376....raises the yearly salaries of the state liquor
SB 325 administrator, assistant administrator, and
certain other employees of the liquor board.

Introduced by
McKeon

Amends § 4-108.

No effective date.

Mar. 15.

CHAPTER 377....deletes the statutory salary limitation for
SB 329 the special assistant attorney general to
handle escheated property matters, but limits
Introduced by necessary expenses of such assistant to
Mackay and appropriation limits.
others

Amends § 91-512.

No effective date.

Mar. 15.

CHAPTER 378....provides that a person applying for aid to
HB 65 the needy blind who has no legal county resi-
dence shall file in the county in which he
is residing, his assistance to be paid from
Introduced by state funds until he can qualify as having
Keller and a legal residence in said county and makes
others provision for establishing residence when
moving to a second county.

Amends § 71-604.

Effective upon passage and approval. Mar. 15.

Legislative Review 1971

CHAPTER 379....provides that a person applying for aid to
HB 69 the disabled who has no legal county resi-
dence shall file in the county in which he
is residing, his assistance to be paid from
Introduced by Keller and state funds until he can qualify as having
others a legal residence in said county and makes
provision for establishing residence when
moving to a second county.

Amends § 71-1202.

Effective upon passage and approval. Mar. 15.

CHAPTER 380....authorizes cities, counties and towns to levy
HB 81 up to one mill to establish a fund to pro-
mote, establish and maintain recreational,
educational and other activities of the
Introduced by Christiansen elderly.
and others

No effective date.

Mar. 15.

CHAPTER 381....increases the fee charged by the highway
HB 93 patrol supervisor for furnishing a motor
vehicle operating record to \$2.00 from \$1.00.

Introduced by
Wolf and Laas

Amends § 53-420.

No effective date.

Mar. 15.

CHAPTER 382....increases the employer's contribution to
HB 104 public employees' group health insurance
plans to \$10.00 from \$7.50 per month and
includes long-term disability insurance.

Introduced by
Ulmer and
others

Amends § 11-1024.

No effective date.

Mar. 15.

CHAPTER 383....makes permanent the additional tax of
HB 140 .575 of 1% of gross operating revenue
of motor carriers.

Introduced by
Christiansen
and Swan

Amends § 8-127.

Effective April 1, 1971.

Mar. 15.

CHAPTER 384....relates to the allocation of gasoline
HB 254 license tax funds to counties, cities and
towns and provides that not more than 10%

Introduced by
Dye and
Fasbender

or \$1,000, whichever amount is greater,
shall be expended for maintenance and repair
of roads or streets; provides that not more
than \$7,500 may be expended without being
submitted to bids; removes the provision
that effective July 1, 1971, the total
amount of funds allocated to counties, cities
and towns shall reduce to \$1,500,000.

Legislative Review 1971

Amends § 84-1840.
No effective date.

Mar. 15.

CHAPTER 385....relates to the close of registration for
HB 397 voters, providing such close shall be 30
days before any federal election, at noon
Introduced by the day before election for voters entitled
Keller and under the provisions of §23-3724 to register
Nichols to that time (Ch. 247 above), and 40 days
before any other election; provides the
registrar shall publish notice of close of
registration 60 days before the election.

Amends § 23-3016.
Effective upon passage and approval. Mar. 15.

CHAPTER 386....pertains to industrial development projects,
HB 541 including commercial enterprises among such
projects.

Introduced by
Scott and Amends § 11-4101.
Bennett No effective date.

Mar. 15.

CHAPTER 387....establishes minimum uniform standards and
SB 159 regulations for ambulance services, provides
definitions and for licensing by the state
Introduced by board of health, rules and regulations to
Sheehy and be prescribed by the board, and for in-
Deschamps spections and penalties.

Effective Jan. 1, 1972. Mar. 15.

CHAPTER 388....relates to the duties of the state examiner;
SB 185 deletes county assessors and institutions as
among those whose books shall be examined
yearly; deletes yearly examinations of banks,
Introduced by banking corporations, savings banks, building
Bertsche and and loan associations and investment and loan
Graham companies; revises procedure for reports
after examinations.

Amends § 82-1002.
No effective date. Mar. 15.

CHAPTER 389....permits a child to be excused from compulsory
SB 219 school attendance upon a determination by a
district judge that such attendance is not
Introduced by in the best interest of the child.
Rosell and
others

Amends § 75-6303.
No effective date. Mar. 15.

Legislative Review 1971

CHAPTER 390....relates to the unemployment compensation
HB 60 law; provides an individual who received
benefits during a benefit year must perform
Introduced by services for remuneration after the be-
East and ginning of that year as a condition for
others receiving benefits in a second benefit
year and conditions therefor; provides
conditions for payment of benefits based
on service with nonprofit organizations
and state hospitals and institutions of
higher education.

Amends § 87-105.

No effective date.

Mar. 15.

CHAPTER 391....makes permanent the annual license tax
HB 141 for electrical energy producers of 1.438%
of gross sales of electricity and electrical
Introduced by energy, effective for the taxable year com-
Christiansen mencing April 1, 1969, and each taxable
and others year thereafter.

Amends § 84-1601.

Effective April 1, 1971.

Mar. 15.

CHAPTER 392....makes permanent the metalliferous mines
HB 142 license tax provided as a temporary increase
for the years 1969 and 1970; provides such
Introduced by tax shall be for the production years com-
Christiansen mencing on or after Jan. 1, 1970, and each
and others production year thereafter.

Amends § 84-2004.

Effective upon passage and approval. Mar. 15.

CHAPTER 393....provides for the management and regulation
HB 265 of floodways of watercourses in Montana;
authorizes the Montana water resources board
Introduced by to carry out a comprehensive floodway manage-
Darrow and ment program; provides definition of terms;
others duties of the board; provides for a Floodway
Obstruction Removal Fund and allocation by
the board; provides for penalties.

No effective date.

Mar. 15.

CHAPTER 394....deletes the provision that a person may not
HB 410 gain or lose residence while employed in
the service of the United States or of this
Introduced by state.
Hall

Amends § 23-3022.

No effective date.

Mar. 15.

Legislative Review 1971

CHAPTER 395....relates to residence requirements for
HB 551 students at the university system; defines
"emancipated minor" as a person under the
age of 18 who supports himself or is mar-
ried; deleting part-time student from the
definition of resident student; allows
spouses or dependent children of qualified
adults to apply for in-state tuition class-
ification; provides for a presumption as
to residence.

Amends §§ 75-8702 - 8704.

No effective date.

Mar. 15.

CHAPTER 396....requires all units of the Montana university
HB 556 system and all private colleges and univer-
sities in Montana that offer any degree in
education to establish a credit course in
health education to include drug and alcohol
education and abuse by July 1, 1972, and
candidates for degrees must successfully
complete such course; requires all public
and private junior high and high schools
to teach courses on drug and alcohol abuse;
provides the Montana Alcohol and Drug De-
pendency Commission shall act in an advisory
capacity in establishing such courses.

No effective date.

Mar. 15.

CHAPTER 397....provides for an assessment of .35 per ton
HB 559 of fertilizer sold within Montana to be
collected from the "registrant" of ferti-
lizer by the department of agriculture;
such monies to be used for comprehensive
statewide educational experimental programs
aimed at optimum use of fertilizers for feed
and food production in Montana; provides
for an advisory committee.

Effective on Mar. 15, 1971.

Self destructs on Mar. 15, 1975.

Mar. 15.

CHAPTER 398....authorizes the regents of the Montana
HB 568 university system to make rules and regu-
lations at each unit of the system concern-
ing the parking and operation of motor
vehicles upon the grounds, streets, drives
and alleys of each unit; provides for fees,
fines and disposal thereof.

No effective date.

Mar. 15.

Legislative Review 1971

CHAPTER 399....pertains to hospital districts and pro-
SB 12 vides if there are no nominations for
the position of trustee of such a district
Introduced by it shall not be necessary to hold an elec-
Rostad and tion but the board of county commissioners
others shall appoint a trustee to fill the term,
the term to be the same as if the trustee
were elected.

Amends § 16-4307.

No effective date.

Mar. 18.

CHAPTER 400....revises the procedure required for filing
SB 14 applications for refunds of gasoline li-
cense tax; provides such applications must
Introduced by be filed within 14 months of purchase,
Goodheart and rather than 13 months.
others

Amends § 84-1855.

No effective date.

Mar. 18.

CHAPTER 401....provides the boards of trustees of com-
SB 56 munity college districts shall adopt an
annual general budget for the general
Introduced by maintenance and operation of the com-
Mathers and munity college district; provides pro-
others cedure.

Repeals § 75-8121.

No effective date.

Mar. 18.

CHAPTER 402....adds "clinical psychologist" to the list
SB 117 of professional people from which insureds
under disability insurance and workmen's
Introduced by compensation policies shall have full free-
Dzivi and dom of choice for the treatment of illness
Bennett or injury.

Amends § 40-4108.

No effective date.

Mar. 18.

CHAPTER 403....the Montana Pesticides Act, provides for
SB 126 the controlling of distribution, sale,
application, disposal and transportation
Introduced by of pesticides and devices; creates a temp-
Graham and orary advisory committee; provides for
others registration of pesticides and licensing
of applicators; provides penalties.

Repeals §§ 27-201 - 212.

Effective as to registration and

licensing provisions Jan. 1, 1972.

Mar. 18.

Legislative Review 1971

CHAPTER 404....relates to the school foundation program;
SB 200 providing changes in financial schedules
for the maximum general fund budgets for
Introduced by elementary and high schools.
Cotton and
others Amends § 75-6905.
Effective on passage and approval. Mar. 18.

CHAPTER 405....empowers the regents of the Montana univ-
SB 225 ersity system to appoint university secur-
ity departments; provides the president of
each unit shall have control and direction
Introduced by of the security department of his unit;
Groff security guards shall be authorized to carry
firearms between sunset and sunrise and at
any time when acting as guards for trans-
portation of money or other valuables.
No effective date. Mar. 18.

CHAPTER 406....provides community college districts shall
SB 235 be under the supervision of the regents of
the Montana university system; provides for
Introduced by appointment of a coordinator of such dis-
Mathers and tricts and funding of his office; provides
others the regents shall direct each district to
seek accreditation.
Amends §§ 75-8103, 8105 - 8110, 8119.
No effective date. Mar. 18.

CHAPTER 407....prohibits community college districts from
SB 236 granting baccalaureate degrees; provides
approval for the organization of new com-
Introduced by munity college districts shall be granted
Mathers and at the discretion of the legislature acting
others upon the recommendation of the regents.
Adds § 75-8126.
Amends § 75-8112.
No effective date. Mar. 18.

CHAPTER 408....pertains to time for filing of mechanics'
SB 294 liens; shortens time by providing for fil-
ing of a notice of completion.
Introduced by
Lynch and Amends § 45-502.
others No effective date. Mar. 18.

CHAPTER 409....provides for an emergency and disaster fund
HB 149 of not more than \$750,000 per biennium in
case of a state emergency or disaster, to
be implemented by the governor and regulated

Legislative Review 1971

Introduced by by the department of administration.
Robbins and
others Effective upon passage and approval. Mar. 18.

CHAPTER 410....provides that whenever a contractor is
HB 184 engaged as an employer in the performance
of contract work for a public corporation,
Introduced by such employer must elect to be bound by
Bennett and the terms, conditions and provisions of
others either compensation plan No. 2 or No. 3
of the Workmen's Compensation Act and the
plan chosen shall be compulsory and obliga-
tory upon both employer and employee.

Amends § 92-206.
No effective date. Mar. 18.

CHAPTER 411....relates to the unemployment compensation
HB 201 law, amends to provide automatic coverage
for any employer covered under the federal
Introduced by unemployment tax Act; clarifies and rede-
Marbut and fines "employment" to cover non-profit
others organizations, hospitals, institutions of
higher education, services performed by a
citizen outside the U.S., and agricultural
employment; deletes obsolete language.

Amends § 87-148.
No effective date. Mar. 18.

CHAPTER 412....provides for the bonding, licensing and
HB 230 fees of warehousemen, track buyers, grain
dealers and others; provides for an annual
Introduced by license fee of \$15.00.
Gunderson and
others

Amends § 3-228.
No effective date. Mar. 18.

CHAPTER 413....the Manufactured Dairy Products Act, re-
HB 249 pealing all of the present dairy products
Acts and regulations now contained in the
Introduced by Montana statutes and setting up a new Code
T. L. Murphy for the regulation of manufactured dairy
and others products in Montana.

Repeals §§ 3-2401 - 2403, 2405 - 2431, 2434,
2436 - 2444, 2447 - 2472, 2476 - 2487.
Effective Jan. 1, 1972. Mar. 18.

CHAPTER 414....creates the "Livestock Dealer Licensing
HB 259 Act" to provide for licensing of livestock
dealers, procedure, rules and regulations
therefor.

Legislative Review 1971

Introduced by No effective date. Mar. 18.
Whitney and
others

CHAPTER 415....amends § 87-106 of the unemployment comp-
HB 315 ensation law by deleting chargeback matters
provided for in another section; further

Introduced by amends to conform with Public Law 91-373,
East by Employment Security Amendments of 1970.
request

Amends § 87-106.

No effective date.

Mar. 18.

CHAPTER 416....redefines "retail installment contract" as
HB 333 a "written retail installment contract";
defines a "retail charge account agreement"

Introduced by as an instrument in "writing", prescribing
Kolstad and terms of retail installment transactions;
others redefines "cash sale price" to include a
sales slip or other memorandum; redefines
"holder"; provides banks and lending insti-
tutions issuing credit cards or retail install-
ment contracts shall come under the Act; pro-
vides the seller or holder of a retail charge
account agreement for motor vehicles may
charge a finance charge.

Amends §§ 74-602, 608.

Effective on July 1, 1971, provided that
section 2 shall govern the finance charge
to be charged, collected and received on
or after such effective date under any re-
tail charge account agreement whether enter-
ed into before or after such date. The Act
not to apply to suits pending before the
effective date.

Mar. 18.

CHAPTER 417....establishes minimum wages and hours for
HB 338 employees in the State of Montana, provides
the commissioner of labor shall administer

Introduced by the Act; provides the minimum wage shall be
Hall and \$1.60 per hour except for seasonal student
others employees and farm workers whose hourly wage
shall be \$1.20 for the first year from the
effective date of the Act, \$1.40 for the
second year and \$1.60 thereafter; provides
for a 40-hour week, and overtime at not less
than one and one-half times the hourly wage
rate, except for farm workers for whom no
overtime is provided; provides for 48-hour
week for seasonal student work and overtime
at one and one-half times the hourly wage
rate; provides for fixed rate of compensa-
tion as an alternate for farm workers; pro-

Legislative Review 1971

vides exceptions.

No effective date.

Mar. 18.

CHAPTER 418....authorizes the issuance and sale by the
HB 382 state board of examiners of bonds for the
purpose of constructing an addition to the
Employment Security Building located on
the Capitol grounds.

Introduced by
Bardanouve
and
Nichols

Effective upon passage and approval. Mar. 18.

CHAPTER 419....provides for the issue and sale by the
HB 383 state board of examiners of long term bonds
for the purpose of erecting employment
security commission office buildings within
the state; designates funds, powers and
duties of the board.

Introduced by
Bardanouve
and
Nichols

Effective upon passage and approval. Mar. 18.

CHAPTER 420....deletes statutory amounts sheriffs shall be
HB 408 allowed for board of prisoners in county
jails and provides the sheriff shall submit
claims to the board of county commissioners
for actual expenses incurred, for its de-
termination; provides the board of prisoners
in county jails shall be a county charge.

Introduced by
Bardanouve
and Ulmer

Amends §§ 16-2808, 2818, 3802.

Repeals §§25-227, 228.

No effective date.

Mar. 18.

CHAPTER 421....makes permanent the \$3.00 per barrel tax
HB 419 on beer levied in 1969 for two years; pro-
vides for distribution of revenue derived
therefrom.

Introduced by
Giesick and
others

Amends §§ 4-317, 324, 347.

No effective date.

Mar. 18.

CHAPTER 422....relates to the teachers' retirement Act,
HB 446 provides for an increase in employer con-
tribution to the pension accumulation fund,
such contribution to be five and one-eighth
percent of earnable compensation of each
member employed during the whole or part
of the preceding payroll period; provides
for an increase in the benefits of teachers
retired before July 1, 1969.

Introduced by
Watt and
Marbut

Amends §§ 75-6207, 6208.

No effective date.

Mar. 18.

Legislative Review 1971

CHAPTER 423....changes age requirement to age eighteen
HB 453 as to: County, district and township
offices; driver's licenses; insurance
adjuster's license; incorporators; farm
mutual insurer; membership in fraternal
benefit insurance; broker's license; de-
Introduction by Towe and others
definition of adult in uniform gifts to
minors Act; those who may sell fireworks;
relatives' responsibility; eligibility
for state militia; responsibility in
estate matters and condemnation commis-
sioners.

Amends 16-2401, 2402, 3202, 31-135,
40-3308, 3327, 4705, 4807, 5321, 66-1929,
67-1801, 1804, 1807, 69-2701, 71-1525,
77-121, 91-1702, 3302, 93-9912.

No effective date.

Mar. 18.

CHAPTER 424....the "Professional Negotiations Act for
HB 455 Teachers", recognizing the right of
teachers to join organizations of their
choosing, promoting cooperation and dis-
Introduction by Forester and others
cussion between school boards and teach-
ers, establishing professional negoti-
ation procedures, recognizing bargaining
representatives.

No effective date.

Mar. 18.

CHAPTER 425....exempts from jury duty a person holding
HB 477 a public office in the state; removes
exemption of an officer, keeper or attend-
Introduction by Bardanouve
ant of an almshouse. That's what it does.

Amends § 93-1304.

No effective date.

Mar. 18.

CHAPTER 426....pertains to highway acquisition and dis-
HB 482 position of property for highways, provides
for payment by the highway commission for
actual direct losses of displaced persons
resulting from moving or discontinuing a
business or farm operation, payment of ex-
Introduction by Dye and Wolf
penses in seeking replacement; provides
for limitations, and matching funds in
certain instances.

Amends §§ 32-3922, 3925 - 3927, 3929.

Effective upon passage and approval. Mar. 18.

Legislative Review 1971

CHAPTER 427....establishes a District Youth Guidance Home
HB 497 program to provide facilities and services
for the rehabilitation of juvenile delin-
Introduced by quents; to provide such program through
Towe and local nonprofit corporations and the depart-
others ment of institutions; provides for placement,
jurisdiction in district court, payment by
parents if financially able; empowers de-
partment of institutions to adopt reasonable
rules and regulations to carry out the Act.

No effective date.

Mar. 18.

CHAPTER 428....relates to probation officers, provides
HB 499 preference in appointment shall be given
to persons who have a bachelor's degree in
the behavioral sciences or any other bachel-
Introduced by or's degree and three years experience in
Towe and work of a nature related to the duties of a
others probation officer; raises the salary of such
officers from not to exceed \$9,000 annually
to \$10,200; or on a per diem basis at the
rate of \$40 per day actually and necessarily
employed as such probation officer.

Amends § 10-622.

No effective date.

Mar. 18.

CHAPTER 429....the "Underground Conversion of Utilities
HB 501 Law", to provide for special improvement
districts to convert existing overhead elec-
Introduced by tric and communications facilities to under-
Fagg ground locations; provides procedure.

No effective date.

Mar. 18.

CHAPTER 430....the "Employment Agency Act", to provide
HB 531 for the regulation of private employment
agencies; provides the Act shall be ad-
Introduced by ministered by the commissioner of the
Giesick and department of labor and industry; pro-
Towe vides for licensing and penalties.

Repeals §§ 41-1401 - 1416.

No effective date.

Mar. 18.

CHAPTER 431....the "State Conservation District Law",
HB 540 revises and amends sections having to do
with conservation districts in Montana.

Introduced by
Anderson and
others

Amends §§ 76-101, 103-111, 114, 115, 117,
201, 208-210, 222-226.

No effective date.

Mar. 18.

Legislative Review 1971

CHAPTER 432....relates to charges for tuition at the Uni-
HB 561 versity system, provides the regents may prescribe matriculation charges and incidental fees for students in institutions under their jurisdiction and may waive certain nonresident tuition at their discretion.

Introduced by Education Com-
mittee by re-quest

Amends § 75-8601.
No effective date.

Mar. 18.

CHAPTER 433....establishes municipal and regional airport
HB 589 authorities; provides for tax levy for airport operation, commissioners, powers of airport authorities, powers of eminent domain for issuance of bonds, establishment of operation uses privileges, rules and regulations, joint operation and cooperation for municipal airports.

Introduced by
Dye

Adds §§ 1-901 - 906, 908 - 928.
Effective upon passage and approval.

Mar. 18.

CHAPTER 434....relates to snowmobiles, providing for certi-
SB 54 ficates of ownership and records of theft, regulating the operation of snowmobiles, providing exemptions, transfer of interest, prohibiting licensing and registration by political subdivisions, establishing enforcement and providing penalties.

Introduced by
Lynch and
others

Repeals §§ 53-1001 - 1011.
No effective date.

Mar. 18.

CHAPTER 435....relates to snowmobiles, providing for the
HB 361 display of tax-paid decals thereon and for the issuance of such decals by the state board of equalization; provides for assessment by county assessors as of January 1 each year and penalties.

Introduced by
Dye and
others

Effective for tax year 1972 and
thereafter.

Mar. 18.

CHAPTER 436....relates to the inspection of passenger tram-
HB 426 ways, including the various kinds of ski lifts, creates a passenger tramway safety board, term of office, compensation and powers and duties of board members, provides for registration and registration fees of passenger tramways, and for judicial review.

Introduced by
J. Murphy

No effective date.

Mar. 18.

Legislative Review 1971

HOUSE JOINT

- RESOLUTION No. 1....requests the legislative council to conduct a study of public welfare programs administered by the department of public welfare and report its findings, together with recommendations and any necessary implementing legislation to the forty-third legislative assembly.
- 2....urges that Montana schools implement systematic and organized programs of study in consumer economics and education which provide an improved understanding of how the system affects and is affected by the individual and the family, and that the superintendent of public instruction recommend guidelines for such a curriculum.
- 4....to the Montana Congressional Delegation asking that the Congress of the United States maintain the present tax-exempt status on income from state and municipal bonds.
- 6.....to the fish and game commission, governor , congressional representatives, U.S. corps of engineers and the U.S. forest service urging the immediate construction and operation of a fish hatchery in Lincoln County, Montana.
- 7....to place a bust of former governor Joseph M. Dixon in the rotunda of the Capitol.
- 9....to all colleges and universities in the state, all Montana veterans organizations and to the congressional representatives endorsing the concept of ROTC training and urging continued support and strengthening of the program.
- 12...requests the state superintendent of public instruction to computerize all relevant statistical data needed to compute the public school foundation program schedules so as to establish a more realistic program of school financing under Montana Law.

HOUSE JOINT

- RESOLUTION No. 13....directs the State Historical Society to adequately portray by appropriate exhibits diarama or other visual or audio means, the history of the logging industry of Montana.
- 14....supports a more determined effort on behalf of prisoners of war by the State Department and requests the enactment of protective legislation similar to the Uniform Code of Military Justice, Public Law 506 to be applicable to personnel captured in other than a "declared war".
- 22....requests the board of land commissioners, the highway commission and the historical society to do whatever necessary to protect and preserve the Indian rock paintings and pictographs located on lands owned by Montana and attempt to make agreements with owners of private lands for such preservation.
- 23....to the legislative council asking that a study be made of the feasibility and desirability of establishing a self-insurance fund for public schools.
- 29....requests the legislative council to conduct a detailed study of the several statutes and constitutional rights bearing on ways--of compensating motor vehicle accident victims and to consider the feasibility of adopting a no-fault motor vehicle insurance plan.
- 30....to the congressional delegation, secretary of agriculture and the chief forester of the U.S. forest service endorsing the sustained yield and multiple purpose act and urging the elimination of slash burning except to control disease or insects.
- 31....requests the legislative council to conduct a study of the make-up, boundaries and number of judges of the judicial districts

HOUSE JOINT

RESOLUTION No. 31....(cont'd)

of Montana and report its findings, together with recommendations and any necessary implementing legislation to the Forty-third Legislative Assembly.

32....urges the Constitutional Convention to amend section 1 and section 2, Art. XVII of the Constitution to give the board of land commissioners authority to classify lands into multiple-use classifications and to change these classifications from time to time as the board may deem necessary.

33....to soap and detergent manufacturers and the federal environmental protection agency urging increased research toward finding a substitute for phosphates in detergents and directing that the board of health keep abreast of such research and prepare legislative recommendations.

34....to congress and the U.S. army corps of engineers urging an intensified cooperative effort to obtain a suitable aquatic environment in Fort Peck Reservoir for the production of game fish and particularly northern pike.

38....requests the legislative council to study the feasibility of home rule for municipalities and to make recommendations to the forth-third legislative assembly.

39....instructing the legislative council to investigate and explore tenure policies in the Montana University system for the purpose of making recommendations regarding tenure to the forty-third legislative assembly.

40....consents to the construction, improvement and equipment of physical education, athletic and recreation facilities at Montana State University at Bozeman.

HOUSE JOINT

RESOLUTION No.41....urges that all state and federal agencies and private organizations concerned with the management of Montana's rangelands cooperate in the implementation of the Montana Rangeland Resource Program of the Montana State Soil Conservation Committee.

43....to the state department of planning and economic development reemphasizing the need for rational solutions to the pollution problems of Montana.

44....to the President, Secretary of Defense, the Montana congressional delegation and the director of selective service, urging fair and equitable administration of the selective service act and a review of national policy and priorities under the intent of the act.

45....requests the Montana agricultural stabilization and conservation service committee to effect immediate major adjustments in Montana's conserving base acres to give Montana's grain producers an equitable basis with other competing wheat growing states under the federal farm program.

46....requests the constitutional convention to study the desirability of amending section 5, Art.XVI of the Constitution to provide for the office^{clerk of} of district court to be consolidated with other elective county offices.

50....directs the legislative council to study the feasibility of establishing a set of standard, statewide plans for construction of elementary and secondary school buildings in Montana.

SENATE JOINT

- RESOLUTION No. 1....to the congressional representatives, the secretary of health, education and welfare, and the commissioner of social security requesting the forestallment of enforcement of regulations requiring automatic sprinkling systems in all hospitals and extended care facilities for a period of 2 years and further requests the regulations be revised to permit use of alternative fire protection that is equally safe.
- 2....urges Congress and all involved officials to implement the recommendation of the Governor's task force on Indian problems, that all Indians whether they reside on reservations or not, be assisted.
- 3....urges Congress and all involved officials to implement the recommendations of the Governor's task force on Indian problems by taking appropriate action to implement the recommendations of Report No. 91-501 of the special subcommittee on Indian education of the committee on labor and public welfare of the U.S. senate.
- 4....urges congressional representatives, the President, the army corps of engineers and the Montana planning board to support the early construction of a reregulating dam on Kootenai River Mile 208.9 in order to alleviate or prevent economic harm to Libby and Lincoln County and best preserve the ecology of the area.
- 5....to the Montana congressional delegation supporting the establishment of a scenic recreation river area along the Missouri from Robinson Bridge to Fort Benton.
- 6....to the President, secretary of health, education and welfare, Congress, and the Montana delegation, calling attention to the plight of Montana's small, rural hospitals, extended

SENATE JOINT

RESOLUTION No. 6....(cont'd) care facilities, skilled nursing homes and intermediate care facilities, which are facing loss of certification under medicare and medicaid because of the increasingly stringent medicare requirements.

- 8....recommends to the constitutional convention that it consider considering the legalization of bingo when it is operated as entertainment for nonprofit or charitable purposes.
- 9....requests the legislative council to study the Montana educational system, community college system and post secondary vocational technical centers with a view toward specialization of the various units by avoiding unnecessary duplication in the programs and degrees offered by each unit.
- 12....requests the congressional representatives to examine the feasibility of updating the rules and regulations governing operations on public land.
- 13....requests the governor and the state department of planning and economic development to continue the south-central Montana development federation as it is presently constituted and that it not be divided for purposes not related to the economic and social well-being of the people of the area.
- 15....consents to the use of any of the facilities, furniture, fixtures, supplies and other property of the Montana legislative assembly by the constitutional convention.
- 16....to the congress, the national park service and other agencies of the U.S. government and Montana government concerned with the preservation of historical

SENATE JOINT

RESOLUTION No. 16....(cont'd) landmarks asking that all necessary actions be taken immediately to preserve as a national park, monument, or other reserved historical site, Beaverhead Rock in Madison County.

19....Requests the interstate commerce commission to adopt a ton-mile rate or similar fair rate for freight to be applied equitably throughout the states of the United States.

22....reserves the third and fourth floors of the capitol building for legislative use only after construction of the new supreme court and law library building.

23....requests the congressional representatives to take appropriate action necessary to identify those parts of the Lincoln back country/Scapegoat areas best suited to optimum recreational purposes and include them in the national wilderness system.

24....requests the legislative council to study and evaluate the various state laboratories, their functions, responsibilities and degree of efficiency and to recommend plans and programs necessary to provide the best possible laboratory facilities, personnel, equipment, administration and services.

26....directs the state fish and game commission and the historical society to place signs marking the historical sites, points of information and describing the natural conditions along the stretch of the Missouri River from Fort Benton to the Fred Robinson Bridge.

27....to the President, Vice-President and Congress approving in principle the proposed federal family assistance act.

Legislative Review 1971

SENATE JOINT

RESOLUTION No. 29....urging the congressional representatives to use their influence with the proper federal agencies to see that the defense access roads located in the Triangle Area of Montana where the ABM missile system is being installed are upgraded and adequately constructed.

30....requests the state board of education to conduct a study of proprietary schools offering vocational or technical training to citizens of Montana, and to make recommendations with a view toward establishing rules, regulations and standards for such schools.

CONSTITUTIONAL PROVISIONS

ARTICLE IX, § 2Ch. 159

SECTIONS AMENDED, ADDED, REPEALED

R.C.M. 1947

ChapterChapter

Section 1-201 amended347
 1-804 "158
 1-901 -906
 added433
 1-908 -928
 added433
 3-228 amended412
 3-1902 " 31
 3-2401 - 2403
 repealed.....413
 3-2405- 2431
 repealed.....413
 3-2434 "413
 3-2436-2444
 repealed.....413
 3-2447-2472 "413
 3-2476-2487 "413
 3-2911,2913
 amended201
 4-108 "376
 4-114 " 62
 4-121 " 62
 4-153 " 72
 4-161 "240
 4-235 " 77
 4-317 "421
 4-324 "421
 4-330,337 "240
 4-347 "421
 4-403 "322
 4-413,439 "240
 4-502,504,506
 amended240
 5-903 - 907
 repealed.....256
 5-908, 910
 amended256
 8-101 "275
 8-103,104 "182

Section 8-110,111,111.1
 amended 69
 8-119 " 68
 8-126 " 67
 8-127 "383
 8-130 repealed.....148
 10-307 amended 5
 10-524,525 "264
 10-605.1 "195
 10-611 "368
 10-622 "318,428
 11-602 " 19
 11-709 "193,343
 11-951 "240
 11-982 "234
 11-1001 "229
 11-1024 "382
 11-1202 "371
 11-1307 "234
 11-1602 "240
 11-1814 "47, 66
 11-1821 "369
 11-1829 " 84
 11-2022 - 2025
 amended 80
 11-2201 "280
 11-2214 "330
 11-2214.2 "234
 11-2217 "158
 11-2218 "234
 11-2226 "234
 11-2226.1 added.....206
 11-2227,2231,2249
 amended234
 11-2269,2270 "255
 11-2271 "158,255
 11-2272 "255
 11-2275 "158
 11-2277,2304 "234

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

Chapter

Section 11-2306,2310
 amended158
 11-2315 "234
 11-2404 " .158,234
 11-2702 "273
 11-3116,3229
 amended166
 11-3248 " 33
 11-3717 "234
 11-3801,3810-
 3812, 3815,
 3825 amended....273
 11-3830.2 added....273
 11-3842-3844,3846-
 3848,3851
 amended....273
 11-3906 "158
 11-3910 "234
 11-4101 "386
 11-4412,4416 "..... 70
 14-143,145,148-
 150 amended.....213
 14-502 " 7
 14-521 " 17
 14-530 " 7
 15-22-119 " 6
 15-22-122 "185
 15-2384 "185
 16-405 "119
 16-1031 repealed...136
 16-1406 amended....154
 16-1620,2002,
 2011 "234
 16-2021,2022,
 2026 "158
 16-2032,2046 "234
 16-2401,2402 "423
 16-2604 "234
 16-2724 "340
 16-2808,2818 "420
 16-2902 "218
 16-3202 "423
 16-3705 " .66,.81
 16-3802 "420

Section 16-4101 amended273
 16-4307 "399
 16-4517 "234
 16-4702,4703 "273
 16-4705 "273
 16-4711 added273
 16-4801,4803-
 4805 amended290
 19-107 " 32
 23-2701 " 120,158
 23-2702,2703 "158
 23-2702,2703
 repealed....120
 23-3001 amended257
 23-3012 "158
 23-3013 "254
 23-3014 "299
 23-3016 "385
 23-3022 "394
 23-3023,3027 "243
 23-3201-3204,
 3206 amended258
 23-3318 " 59
 23-3321,3509,
 3610 amended254
 23-3706 "246
 23-3709 "254
 23-3718 "249
 23-3720 "248
 23-3721 "250
 23-3724 added247
 23-4201 amended158
 24-107 "344
 25-102 "185
 25-227,228
 repealed....420
 25-404,409,410,
 amended332
 25-501 "314
 25-604 "365
 25-605 "265
 26-104 "279
 26-201 " .46,189
 26-202.1 "129

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

| | |
|---------------------------------------|---------|
| Section 26-202.2 amended | 48 |
| 26-215 " |309 |
| 26-301 " |177 |
| 26-302 " |305 |
| 26-303.2 repealed |221 |
| 26-332 amended | 8 |
| 26-501 " |309 |
| 26-901,902 repealed | ..221 |
| 26-1201 amended | 78 |
| 26-1502,1505,1507, amended |133 |
| 27-201-212 repealed | ..403 |
| 27-403,406,411 amended |107 |
| 27-427 repealed | 107,272 |
| 27-612 amended |130 |
| 27-702,703,721 amended |171 |
| 28-103,123 " | 30 |
| 28-125 " |276 |
| 28-401-403 repealed |147 |
| 28-408,410,412 amended |147 |
| 28-603 " |337 |
| 31-103 " |245 |
| 31-135 " | 288,423 |
| 32-1126 " |321 |
| 32-1143,1144,1145 repealed |181 |
| 32-1208 amended | 52 |
| 32-1629,1629.1,1630, 1631 repealed |323 |
| 32-2142 amended |132 |
| 32-2146 " | 89 |
| 32-2148 " |253 |
| 32-2197 " | 45 |
| 32-21-149 " |194 |
| 32-2601 " |356 |
| 32-2605 " |283 |
| 32-3121,3123 " |234 |
| 32-3302.1 " |212 |
| 32-3304.1 " |102 |
| 32-3311 repealed | 37 |
| 32-3317 amended | 37 |

Chapter

| | |
|--|---------|
| Section 32-3502 amended |234 |
| 32-3601 " |199 |
| 32-3707 " |244 |
| 32-3805 " |234 |
| 32-3922,3925-3927, 3929 amended |426 |
| 32-4705, 4712- 4714 amended |220 |
| 35-115 " |234 |
| 35-128,129 " |281 |
| 40-2821 " |237 |
| 40-3308,3327 " |423 |
| 40-3729 " |167 |
| 40-3737,3739 added | ..298 |
| 40-4108 amended |402 |
| 40-4705 " |423 |
| 40-4745 " |151 |
| 40-4807 " |423 |
| 40-4917 " |297 |
| 40-4918 added |297 |
| 40-5321 amended |423 |
| 40-5501,5508 repealed | 64 |
| 41-601-604 " |144 |
| 41-801,804,808, 810 amended |192 |
| 41-1118 repealed | 51 |
| 41-1120 amended | 51 |
| 41-1135,1136 " |240 |
| 41-1401-1416 repealed |430 |
| 43-107 amended |187 |
| 43-310 " | 4 |
| 45-502 " |408 |
| 46-801-804 " |149 |
| 46-2322 " | 24 |
| 46-2331 " | 20 |
| 47-124 " |234 |
| 47-202,204,205,211, 214-216 amended | ..233 |
| 48-118.1 " | 50 |
| 48-143 " |240 |
| 50-101,102 " |310 |
| 50-103-107 repealed | 310 |
| 50-108 amended |310 |

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

Chapter

Section 50-109-117 repealed 310
 50-118 amended 310
 50-119 added 310
 50-1001-1017
 repealed ... 224
 53-101 amended 214
 53-106 " 226
 53-107 " 179
 53-108 " .138,214
 53-109 " 138
 53-114 " 214
 53-118 " .226,244
 53-118.1 -118.5
 repealed.... 209
 53-120,122 amended. 226
 53-146,147 " 138
 53-420 " 381
 53-421 " 55
 53-422 " 56
 53-501,503-508,
 510, 511-513
 repealed.... 320
 53-1001-1011 " 434
 54-133 amended 228
 59-301 " 240
 59-538 " . 10,295
 59-701.1,701.2
 amended 267
 59-901,902
 repealed.... 272
 59-1001,1002
 amended 121
 59-1008 added 93
 60-131.1, 131.2, 131.3,
 131.6, 131.9
 amended 150
 61-112.2 " 178
 61-203 " 240
 64-101 " 240
 64-207.1 " 58
 64-301-303 " 39
 66-411 " 87
 66-603,803 " 168
 66-815 " 324

Section 66-905 amended287
 66-1012,1013 "203
 66-1023,1025 "203
 66-1027 "168
 66-1028-1030 "203
 66-1307 " 75
 66-1318 added 79
 66-1501,1502,1504
 amended241
 66-1506 " 168,241
 66-1507-1509,
 1521 amended....241
 66-1819,1820 "168
 66-1929 "423
 66-2204 "168
 66-2326,2337,
 2344 amended....364
 66-2502,2708 "168
 66-3103 "168
 67-1602.1 " 9
 67-1801,1804,
 1807 amended....423
 67-2211-2226 "216
 68-801,901 "116
 68-902 added116
 68-1307 amended....116
 69-1501-1505,1507-
 1517 amended....225
 69-1518 repealed ..225
 69-1601-1604
 amended ...225
 69-1605 repealed...225
 69-1607,1701,1702
 amended ...225
 69-1703 repealed...225
 69-2701 amended ...423
 69-3401-3405 " ...271
 69-3407-3409 " ...271
 69-4118 " ...336
 69-4201-4203,4205
 repealed...316
 69-4509,4510
 amended ...196
 69-4610 "135

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

Chapter

Section 69-4801,4802
 amended 21
 69-4803 repealed... 21
 69-4804,4805,4806
 amended ... 21
 69-4807,4808,4809
 repealed... 21
 69-4810-4814
 amended.... 21
 69-4815-4819
 repealed... 21
 69-5201 amended....197
 69-5401-5405 " 76
 69-5407,5408 " 76
 69-5903 "306
 69-5908,5910 "306
 69-6002,6007,
 6010 amended....136
 69-6402 " 74
 71-211 "261
 71-402 " 261,294
 71-502 "292
 71-504 " 90
 71-508 " 292,373
 71-604 " 261,378
 71-610 "155
 71-1001 "360
 71-1003 " 105,360
 71-1004,1008 "105
 71-1202 " 261,379
 71-1512,1516,
 1517,1519 "261
 71-1525 "423
 72-118 amended227
 72-143 "124
 72-150,151 "124
 73-107,114-116
 amended218
 74-602,608 "416
 75-101-107
 repealed.... 5
 75-107-109 " 2
 75-216-223, 301-314,
 401-416, 501-515
 repealed 2

Section 75-601-611,701-738,
 801-811, 901-907,
 1001-1006,1101-
 1104 repealed 2
 75-1201.1 "2,5
 75-1202-1206,1301-
 1308, 1311-1313,
 1315-1317, 1319,
 1320,1401-1406,
 1501-1510, 1512-
 1526, 1528-1535,
 1601-1626, 1628-
 1632, 1632.1, 1633-
 1647, 1701-1706,
 1708-1710, 1712,
 1713, 1713.1, 1714-
 1723, 1723.1, 1724-
 1730, 1801-1813,
 1813.1, 1814-1823,
 1825-1834, 1901-
 1905, 2001-2009,
 2011-2013 repealed..5
 75-2014 repealed2,5
 75-2015-2017, 2101-
 2105, 2201-2215,
 2301-2303, 2401-
 2405, 2405.1, 2406-
 2411, 2501-2506,
 2511-2516, 2518-
 2522, 2701-2709,
 2709.1, 2709.2,
 2710-2716, 2801,
 2802, 2901-2910,
 3101,3102, 3104-
 3125, 3201-3203,
 3308-3311, 3401-
 3414, 3501, 3503-
 3511, 3610-3624,
 3701, 3706, 3709-
 3714, 3716-3720,
 3722-3729, 3729.1,
 3734-3742, 3801-
 3806, 3901-3946,
 4001-4007, 4101,
 4103-4113, 4115-4118,

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

Chapter

Section 75-4120-4144,4146-
 4153, 4201-4288,
 4230-4242,4244-
 4248, 4309-4323,
 4413-4430,4501-
 4506,4511,4512,
 4514,4515,4516.1-
 4527, 4529-4535,
 4537,4538,4540,
 4601-4607,4609-
 4614, 4701-4706,
 repealed 5
 75-4707 "2,5
 75-4708,4709,4801-
 4809,5001-5007,
 5101 repealed.... 5
 75-5206 amended331
 75-5310-5317,5401-
 5405, 5501-5508
 repealed.... 5
 75-5601 added 5
 75-5602 " 5
 75-5602 amended352
 75-5603-5608 added.. 5
 75-5701-5709 " .. 5
 75-5801-5811 " .. 5
 75-5901-5941 " .. 5
 75-6001-6011 " .. 5
 75-6101-6103 " .. 5
 6103 amended .. 49
 75-6104-6107 added.. 5
 75-6107 amended ..327
 75-6108-6110 added.. 5
 75-6110 amended ..100
 75-6111 added 5
 75-6111 amended200
 75-6112-6114 added.. 5
 75-6201-6207 " .. 5
 75-6207 amended..57,422
 75-6208 added 5
 75-6208 amended..57,422
 75-6209-6213 added.. 5
 75-6213 amended ... 57
 75-6214-6218 added.. 5

Section 75-6301-6303 added.. 5
 75-6303 amended389
 75-6304-6319 added.. 5
 75-6319 amended109
 75-6320-6323 added.. 5
 75-6323 amended349
 75-6401-6410 added.. 5
 75-6410 amended 83,118
 75-6411 added 5
 75-6411 repealed ... 83
 75-6412 added 5
 75-6412 amended 83
 75-6413,6414 added.. 5
 75-6414 amended 83
 75-6415-6423 added.. 5
 75-6501-6503 " .. 5
 75-6503 amended353
 75-6504-6509 added.. 5
 75-6509 amended 83
 75-6510-6516 added.. 5
 75-6516 amended 83
 75-6517-6520 added.. 5
 75-6520 amended 44
 75-6521-6539 added.. 5
 75-6601-6608 added.. 5
 75-6701-6730 " .. 5
 75-6801-6808 " .. 5
 75-6808 amended 42
 75-6809,6810 added.. 5
 75-6810 amended341
 75-6811-6814 added.. 5
 75-6901-6905 " .. 5
 75-6905 amended404
 75-6906-6923 added.. 5
 75-6923 amended 83
 75-6924-6927 added.. 5
 75-7001-7011 " .. 5
 75-7011 amended198
 75-7012-7024 added.. 5
 75-7101-7107 " .. 5
 75-7107 amended234
 75-7108-7111 added.. 5
 75-7112-7114 " .. 5
 75-7112-7114 amended.83

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

Section 75-7115,7116 added.. 5
 75-7115,7116 amended.234
 75-7117 added 5
 75-7117 amended 83
 75-7118,7119 added.. 5
 75-7119 amended 234
 75-7120,7121 added.. 5
 75-7121 amended 234
 75-7122-7125 added.. 5
 75-7125 amended .,.. 263
 75-7126-7134 added.. 5
 75-7134 amended 83
 75-7135-7138 added.. 5
 75-7201-7205 " .. 5
 75-7205 amended 83
 75-7206-7216 added., 5
 75-7301-7309 " .. 5
 75-7309 amended 342
 75-7401-7407 added.. 5
 75-7501-7521 " .. 5
 75-7601-7611 " .. 5
 75-7701-7715 " .. 5
 75-7801-7805 " .. 5
 75-7805 amended 123
 75-7806 added 5
 75-7806 amended 122,123
 75-7807 added 5
 75-7807 amended 123
 75-7808-7810 added.. 5
 75-7810 amended 282
 75-7811-7816 added.. 5
 75-7816 amended 122
 75-7901-7907 added.. 5
 75-8001-8006 " .. 5
 75-8101-8103 " .. 5
 75-8103 amended 406
 75-8104 added 5
 75-8105-8110 added.. 5
 75-8105-8110 amended,406
 75-8111,8112 added.. 5
 75-8112 amended .164,407
 75-8113-8117 added.. 5
 75-8117 amended..... 163
 75-8118,8119 added.. 5

Chapter

Section 75-8119 amended....406
 75-8120,8121 added. 5
 75-8121 repealed...401
 75-8122-8125 added. 5
 75-8125 amended....162
 75-8126 added407
 75-8201-8212 added. 5
 75-8301-8305 " . 5
 75-8305 amended....263
 75-8306-8313 added. 5
 75-8401-8411 " . 2
 75-8411 amended.... 29
 75-8412-8422 added. 2
 75-8412-8422
 repealed... 29
 75-8423-8427 added. 2
 75-8427 amended ...289
 75-8428 added 2
 75-8428 amended.... 29
 75-8429 added 2
 75-8501-8511 added. 2
 75-8511 amended....351
 75-8512 added 2
 75-8601 " 2
 75-8601 amended.231,
 286,432
 75-8602 added..... 2
 75-8701,8702 added. 2
 75-8702 amended 240,395
 75-8703 added..... 2
 75-8703 amended....395
 75-8704 added..... 2
 75-8704 amended....395
 75-8705 added..... 2
 75-8705 amended,...350
 75-8801-8805 added. 2
 76-101,103-111, 114,
 115,117,201,208-
 210,222-226
 amended....431
 77-121 "423
 77-157 "113
 77-1002 " 92
 79-201,202 "152

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

Section 79-303,304
 repealed 205
 79-414,415 amended. 268
 79-603 " . 268
 79-801,804,806-
 808,810 repealed.152
 79-1202 amended 188,205
 269
 79-2202,2203,2205
 amended.....222
 79-2312 " 270
 79-2313 repealed....270
 80-1601 amended191
 80-2210 " 367
 80-2301,2302
 repealed....111
 81-204 amended 26
 81-407 " 240
 81-412 " 22
 81-414,415 " 27
 81-419 " 22,27
 81-422 " 27
 81-426,428 " 22
 81-502 " 22,291
 81-606,613,615" 22
 81-908 amended240
 81-915 " 22
 81-1003 " 234
 81-1113,1702.1,
 1703 amended 22
 82-109 " 267
 82-110 " 268
 82-414-420 " 219
 82-1002 " 256, 388
 82-1008 " 256
 82-1231 " 110
 82-1914 " 11
 82-1917,1918 " 301
 82-3001 " 85
 82-3303,3306 " 313
 82-4002 " 134
 82-4101 " 101
 82A-101-122,201-213,
 301-305,401-406,

Chapter

Section 501-509,601-609,
 701-708,801-807,
 901-906,1001-
 1010, 1101-1103,
 1201-1208,1301-
 1305,1401-1404,
 1501-1511,1601-
 1606,1701-1703,
 1801-1806,1901-
 1908,2001-2004,
 2101-2103
 added....272
 84-301 amended..35,312
 317,354
 84-302 " 35,317
 84-306 repealed.... 25
 84-307 amended 25
 84-708 " 211
 84-1302,1303 " 355
 84-1501 amended.16,333
 84-1501.4 repealed..23
 84-1502 amended
 235 ,358
 84-1601 " 391
 84-1832 " 12,277
 84-1832.1 " 277
 84-1833 " .12,277
 84-1835 " 277
 84-1840 " 384
 84-1846 " ..13,204
 84-1847 " ..202,204
 84-1848 repealed...204
 84-1849,1851,
 1853 amended....204
 84-1855 " 13,204,400
 84-1855.1 added ...204
 84-2004 amended ...392
 84-2102 " ...325
 84-2402,2404,2410
 amended....160
 84-2412 " 266
 84-2601,2602 " 326
 84-3508 " 266
 84-4701.1-4701.3,

Legislative Review 1971--Sections

R.C.M. 1947

Chapter

Chapter

| | | |
|---------------------|----------------|----------|
| Section | 4701.5, 4701.6 | |
| | amended..... | 375 |
| 84-4820 | amended | 339 |
| 84-4903 | " | 15 |
| 84-4905 | " | 236, 345 |
| 84-4908 | " | 357 |
| 84-5606, 5606.30 | | |
| | amended..... | 222 |
| 87-103 | " | 169 |
| 87-104 | " | 104 |
| 87-105 | " | 390 |
| 87-106 | " | 38, 415 |
| 87-109 | " | 117 |
| 87-110 | " | 103 |
| 87-111 | " | 88 |
| 87-117 | " | 65 |
| 87-129 | " | 91 |
| 87-148 | " | 411 |
| 87A-9-403 - 407 | | |
| | amended | 185 |
| 89-702 | " | 370 |
| 89-1701, 1705, 1801 | | |
| | amended | 234 |
| 89-1811 | " | 137 |
| 89-2107 | " | 256 |
| 89-2348, 2501, 2502 | | |
| | amended | 234 |
| 89-2911, 2913 | " | 307 |
| 89-3312 | " | 239 |
| 89-3405 | " | 302 |
| 89-3407 | " | 303 |
| 89-3426 | " | 234 |
| 90-201 | " | 127 |
| 91-403 | " | 217 |
| 91-502, 504-508 | " | 156 |
| 91-512 | amended | 377 |
| 91-523 | " | 156 |
| 91-1702, 3302 | " | 423 |
| 91-3906 | " | 260 |
| 91-4411 | " | 28 |
| 91-4415 | " | 34 |
| 91-4418 | " | 36 |
| 91-4437 | " | 161 |
| 91-4450 | " | 36 |

| | | | |
|---------|----------------------|---------------|-----|
| Section | 92-206 | amended | 410 |
| | 92-208 | " | 145 |
| | 92-411 | " | 308 |
| | 92-422 | " | 175 |
| | 92-701 | " | 174 |
| | 92-706 | " | 359 |
| | 92-709 | " | 140 |
| | 92-710 | added | 366 |
| | 92-902 | amended | 143 |
| | 92-1004 | " | 141 |
| | 92-1005 | " | 142 |
| | 92-1121 | " | 146 |
| | 92-1303 | " | 109 |
| | 92-1304 | " | 41 |
| | 92-1305 | " | 40 |
| | 92-1310, 1312, 1315, | | |
| | 1321 | amended..... | 190 |
| | 92-1403 | " | 363 |
| | 93-1002 | " | 240 |
| | 93-1205 | " | 293 |
| | 93-1301 | " | 240 |
| | 93-1304 | " | 425 |
| | 93-2001 | " | 168 |
| | 93-2612 | " | 158 |
| | 93-2908 | " | 176 |
| | 93-5010 | " | 300 |
| | 93-8625 | " | 71 |
| | 93-9912 | " | 423 |
| | 93-701-4 | " | 61 |
| | 94-1436 | " | 251 |
| | 94-3527 | " | 54 |
| | 94-35-106, 106.2 | | |
| | | amended | 240 |
| | 94-35-138 | repealed.. | 114 |
| | 94-35-249 | amended .. | 172 |
| | 94-35-269 | " | 346 |
| | 95-618 | " | 18 |
| | 95-1703 | " | 173 |

Laws of 1969

| | | |
|-------------------------|---------------|-----|
| Ch. 372 | repealed..... | 223 |
| Ch. 377, §§ 1, 3, 4, 6, | | |
| 7 | amended..... | 356 |

INDEX TO CHAPTERS

AGE

| | |
|--|---------|
| Requirements for qualification for professional licenses | Ch. 168 |
| Requirement to 18 for various purposes | Ch. 423 |
| Requirement to 19 for various purposes | Ch. 240 |
| See ELECTIONS | |

AGRICULTURE

| | |
|--|---------|
| Bonding, licensing and fees of warehousemen, grain dealers, etc. | Ch. 412 |
| Experiment station at Bozeman, established | Ch. 29 |
| Fertilizer, tax on | Ch. 397 |
| Mustard seed, foreign material and dockage | Ch. 31 |
| Wheat assessments, refunds | Ch. 201 |

AMBULANCES

| | |
|---------------------------------|---------|
| Standards, regulation | Ch. 387 |
|---------------------------------|---------|

APPLES

| | |
|---|---------|
| Orchard-run grade established | Ch. 127 |
|---|---------|

ATTORNEY FEES

| | |
|--|---------|
| Right to by prevailing party in action on contract | Ch. 259 |
|--|---------|

AVIATION

| | |
|---|---------|
| Aeronautics commission, per diem of members | Ch. 347 |
| Gasoline taxation, refund removed | Ch. 204 |
| Levies and elections for airport purposes valid | |
| dated | Ch. 278 |
| Municipal and regional authorities authorized | Ch. 433 |

BANKS & BANKING

| | |
|---|---------|
| Assessment for taxation, manner | Ch. 25 |
| Subjected to corporation license tax | Ch. 23 |
| Suspending business during emergency | Ch. 32 |
| Superintendent of banks | |
| certain supervision and examination fees | Ch. 256 |
| deletes offices to be examined yearly | Ch. 388 |
| school extracurricular funds, examined by | Ch. 349 |

BARBERSHOPS

| | |
|----------------------------------|--------|
| License fees increased | Ch. 87 |
|----------------------------------|--------|

BEER

| | |
|--|---------|
| Three dollar per barrel tax made permanent | Ch. 421 |
|--|---------|

BLOOD

| | |
|--|---------|
| Blood banks exempt from liability in absence of negligence | Ch. 284 |
|--|---------|

BONDS

| | |
|--|---------|
| Maximum rate of interest raised, all governmental subdivisions | Ch. 234 |
|--|---------|

CHILDREN

| | |
|--|---------|
| Delinquent, information as to parents in preliminary inquiry | Ch. 195 |
| Destruction of property, payment of attorney's fees by parents | Ch. 178 |
| Legal consent of minors to psychiatric counseling | Ch. 315 |

CITIES & Towns

| | |
|--|---------|
| All-purpose levies for, regulation | Ch. 375 |
| Alley replacements without special improvement districts | Ch. 206 |

Index to Chapters

| | |
|---|---------|
| CITIES & TOWNS (cont'd) | |
| Contracts, bidding requirements | Ch. 183 |
| Elections, day of holding changes | Ch. 343 |
| Excavation of right-of-way, information as to | |
| underground facilities prior to | Ch. 180 |
| Expenditure without letting of bids, increased . | Ch. 371 |
| Firemen, volunteer, pension plan eligibility, | |
| payment to beneficiaries | Ch. 80 |
| Improvement district revolving funds, sidewalk, | |
| curb and alley approach warrants | Ch. 255 |
| Lighting districts authorized | Ch. 280 |
| Park dedication requirement | Ch. 19 |
| Policemen, age of entrance | Ch. 47 |
| Policemen, marshals, residence requirement waived | Ch. 66 |
| Policemen, retired, electing to serve additional | |
| years, payments from reserves fund | Ch. 369 |
| Policemen's retirement fund, investment of . . . | Ch. 84 |
| Removal of elective office holder | Ch. 329 |
| Salaries of commissioners under commission- | |
| manager plan | Ch. 33 |
| Sewage service outside city limits | Ch. 229 |
| Special improvement districts, alternate methods | |
| of assessment for | Ch. 330 |
| Terms of officers in first, second, third class . | Ch. 193 |
| Zoning and building regulations | Ch. 273 |
| CIVIL RIGHTS | |
| Freedom from discrimination because of sex . . . | Ch. 39 |
| COMMUNITY COLLEGES | |
| See SCHOOLS | |
| CONSERVATION | |
| Defined, forests included | Ch. 30 |
| State Conservation Districts Law, enacted . . . | Ch. 431 |
| CONSTITUTIONAL CONVENTION | |
| Called | Ch. 296 |
| Declaratory Judgment action directed | Ch. 3 |
| COOPERATIVES | |
| Boards of trustees, disposition of property . . . | Ch. 17 |
| Credit Union Act, regulation | Ch. 213 |
| Territorial Integrity Act | Ch. 7 |
| CORPORATIONS | |
| Annual reports, time for filing changed | Ch. 6 |
| Corporation income tax law | Ch. 82 |
| Income tax, deducting of certain income | Ch. 235 |
| Taxation, net operating loss deduction | Ch. 358 |
| COSMETOLOGY | |
| Fees, licenses | Ch. 324 |
| COSTS | |
| Poor person, defense of cause of action without | |
| payment of fees | Ch. 71 |
| COUNTIES | |
| Contracts, bidding requirements | Ch. 153 |
| Deputy sheriffs, marshals, policement, qualifi- | |
| cations in all counties | Ch. 81 |

Index to Chapters

COUNTIES (cont'd)

| | |
|---|---------|
| Deputy sheriffs, residence requirement waived . . | Ch. 66 |
| Deputy sheriffs, salaries of | Ch. 356 |
| Fair board appropriation | Ch. 154 |
| Fire-fighting equipment, amount for increased . . | Ch. 337 |
| Hospital districts, where no candidate for position of trustee | Ch. 399 |
| Irrigation districts, use of funds | Ch. 137 |
| Levy to raise revenue for highway purposes . . . | Ch. 199 |
| Park boards, clerk, procedures | Ch. 290 |
| Recording abstracts of certain instruments . . . | Ch. 218 |
| Salaries of county officers increased | Ch. 265 |
| Sheriffs, charges for board of prisoners | Ch. 420 |
| Sheriffs, provision of motor vehicles for | Ch. 340 |
| Zoning and building regulations | Ch. 273 |

COUNTY ATTORNEYS

| | |
|--|---------|
| Legal advisor of refuse disposal districts . . . | Ch. 136 |
| Legal adviser of schools districts | Ch. 263 |

CRIMES

| | |
|---|---------|
| Aiding patient or inmate to leave custodial in- stitution | Ch. 361 |
| Dismissal of action where defendant not brought to trial within six months | Ch. 173 |
| Possession of device to break into coin- operated machines | Ch. 172 |
| Possession of explosive with intent to commit a felony | Ch. 304 |
| Selling alcoholic beverages and drugs to patients or inmates of custodial institutions | Ch. 362 |

DAMAGES

| | |
|---|--------|
| Time limitation for bring action arising out of design, constitution, etc., work | Ch. 60 |
|---|--------|

DENTISTRY

| | |
|---|---------|
| U. S. citizen requirement removed | Ch. 287 |
|---|---------|

DESCENT & DISTRIBUTION

| | |
|---|---------|
| Inheritance, grandchildren of deceased brother or sister | Ch. 217 |
|---|---------|

DRUGS

| | |
|--|---------|
| Dispensing and participation in profits by medical practitioners prohibited | Ch. 311 |
| Drug and alcohol courses for teachers and education required in schools | Ch. 396 |
| Possession of marihuana or hashish, penalties . . | Ch. 228 |

ELECTIONS

| | |
|---|---------|
| Absentee ballots, gummed flaps and writing instruments | Ch. 246 |
| Absentee voters cancellation of registration, other regula- tions, filling of vacancies of candidates | Ch. 254 |
| use of federal post card application | Ch. 250 |
| who may administer oath | Ch. 248 |
| Age of voting to 18, referendum | Ch. 159 |
| Age requirement for school elections | Ch. 118 |

Index to Chapters

ELECTIONS (cont'd)

| | |
|---|---------|
| Age requirement for voting concerning county seats | Ch. 119 |
| Age requirement, general and special elections | Ch. 120 |
| Bond issues, who may vote | Ch. 234 |
| Cancellation of registration because of | |
| felony conviction, list | Ch. 299 |
| Candidates' itemized statements, retention in | |
| office of filing | Ch. 251 |
| City and town, day of holding changes | Ch. 343 |
| Clerks of, appointment and instruction | Ch. 258 |
| Close of registration, time for, publication | |
| of notice | Ch. 385 |
| Creation of public debt, electors' qualifi- | |
| cations removed | Ch. 158 |
| Elector in U.S. service, defined | Ch. 249 |
| Electors in U.S. service, time to register | Ch. 247 |
| Filing certificates of nomination, time for | |
| in municipal elections | Ch. 59 |
| List of highway patrol of those reaching voting | |
| age, compiled county by county | Ch. 257 |
| Persons in service of U.S., may not lose or | |
| gain residence | Ch. 394 |
| Residence for voting, referendum | Ch. 159 |
| Residence requirement, city election | Ch. 166 |
| Residence requirement for voting concerning | |
| county seats | Ch. 119 |
| Residence requirement, general and special | Ch. 120 |
| Residence requirement, school elections | Ch. 118 |
| School district, list of registered electors | Ch. 243 |
| School district levy, electors' qualifica- | |
| tions eliminated | Ch. 83 |
| Teton County moved to second congressional district | Ch. 187 |

ELECTRICITY

| | |
|-------------------------|---------|
| Insulation on guy wires | Ch. 344 |
|-------------------------|---------|

EMPLOYMENT AGENCY ACT

| | |
|---------|---------|
| Enacted | Ch. 430 |
|---------|---------|

EMPLOYMENT SECURITY COMMISSION

| | |
|--|---------|
| Bonds for construction of addition to building | Ch. 418 |
| Bonds for construction of office buildings | |
| within state | Ch. 419 |
| Compensation account, payments to | Ch. 88 |
| Participation in arrangements for combining | |
| wages in multi-state employment | Ch. 91 |
| Per diem pay of members of commission | Ch. 65 |
| See UNEMPLOYMENT COMPENSATION | |

ENGINEERS

| | |
|--------------------------------------|---------|
| Practice of, planning services, fees | Ch. 364 |
|--------------------------------------|---------|

ENVIRONMENT

| | |
|--|---------|
| Montana Environmental Policy Act enacted | Ch. 238 |
| Protection of, outfitting and guiding | Ch. 221 |

ESCHEATED ESTATES

| | |
|--|---------|
| Salary of assistant attorney general for | Ch. 377 |
|--|---------|

Index to Chapters

ESTATES OF DECEDENTS

Probate, discharge within two years Ch. 260

EUGENICS

Per diem for board members Ch. 74

EXECUTIVE REORGANIZATION ACT OF 1971 Ch. 272

FISH & GAME

Archery seasons, use of livestock and vehicles . Ch. 106

Buffalo farms exempt from regulations Ch. 78

Falconry, licensing and regulation, bird names. . Ch. 309

Fish taken by underwater swimmers Ch. 8

Game preserve at Gates of the Mountains Ch. 115

Grizzly bear, special license for Ch. 48

Grizzly, black and brown bear, license fees . . . Ch. 129

Hunter orange material required for hunters . . Ch. 305

Hunting or fishing license or camping permit
lost for littering Ch. 43

Loss of hunting privileges when injuring,
wounding or killing person while hunting Ch. 346

Mountain lions

added to game animals, stizostedion spealling
corrected Ch. 189

use of dogs for hunting Ch. 184

use of dogs in pursuit of stock-killing . . . Ch. 177

Outfitting and guiding, licensing and regu-
lation, environment protection Ch. 221

Protection of state water by commission,
caged fish Ch. 126

Protection of streams from hydraulic projects . . Ch. 133

Rules and regulations governing recreational
uses, by commission Ch. 279

Sturgeon added to game fish Ch. 46

FOOD & DRUGS

Flour enrichment requirements Ch. 274

Manufactured Dairy Products Act Ch. 413

Montana Pesticide Act enacted Ch. 403

Packaging and labeling requirements Ch. 171

Perishable food dealers Ch. 130

See DRUGS

FORESTS

Included in conservation definition Ch. 30

Montana traffic laws applicable to forest
development roads Ch. 139

Powers of ex officio fire wardens Ch. 276

Reduction of forest fire hazards, contracts
with owners Ch. 147

GRASS CONSERVATION

Fees, due date for payment to state treasurer
removed Ch. 20

HIGHWAYS, HIGHWAY COMMISSION AND HIGHWAY PATROL

Arrest power given to certain employees Ch. 242

Bond issue for complex construction Ch. 356

Concrete, ready-mix haulers, fee established . . Ch. 102

Court awards to construction contractors,
payment of state's share Ch. 283

Index to Chapters

HIGHWAYS (cont'd)

| | |
|---|---------|
| Eminent domain, payments for loss and expenses to persons on taking of land | Ch. 426 |
| Highway patrol board, rules and regulations . . . | Ch. 245 |
| Highway patrol salaries paid out of highway funds | Ch. 285 |
| Montana traffic laws applicable to forest roads . | Ch. 139 |
| Outdoor advertising provisions | Ch. 220 |
| Patrol board to issue I.D. cards to non-drivers . | Ch. 53 |
| Roadblocks for checking drivers' licenses . . . | Ch. 18 |
| Sale of surplus highway equipment | Ch. 11 |
| Speed limits for trucks | Ch. 253 |
| Speed limits on federal-aid, jurisdiction in commission | Ch. 89 |
| Vehicles exceeding size and weight limits, special permits for | Ch. 334 |
| Weigh stations, operation | Ch. 321 |
| White Cane Act, for protection of blind persons . | Ch. 181 |
| HOUSE JOINT RESOLUTIONS | Page 88 |

HOUSING

| | |
|--|---------|
| Cities excluded from county housing authorities unless by vote | Ch. 281 |
|--|---------|

IMPLIED CONSENT LAW

| | |
|-------------------|---------|
| Enacted | Ch. 131 |
|-------------------|---------|

INDIANS

| | |
|---|---------|
| Attendance at U. system without payment of fees . | Ch. 350 |
|---|---------|

INDUSTRIAL DEVELOPMENT PROJECTS

| | |
|---|---------|
| Commercial enterprises included | Ch. 386 |
|---|---------|

INSTITUTIONS, DEPARTMENT OF

| | |
|---|---------|
| Care of persons in foster or group homes . . . | Ch. 191 |
| Commitment of children to youth forest camps . | Ch. 368 |
| District Youth Guidance Home Program | Ch. 427 |
| Interstate Compact on Mental Health enacted . . | Ch. 112 |
| Mental retardation division established | Ch. 111 |
| Programs in local communities for mentally retarded | Ch. 165 |

INSURANCE

| | |
|---|---------|
| Assignment of policies of group insurance . . . | Ch. 167 |
| Automobile liability, notice of cancellation required | Ch. 262 |
| Benevolent associations, annual license fee . . | Ch. 297 |
| Fire insurance on domicile, notice of cancellation required | Ch. 374 |
| Fire insurance premiums tax | Ch. 110 |
| Group health, hospital and medical, retarded and handicapped children covered after reaching limiting age | Ch. 298 |
| Merger of stock insurers and corporations . . . | Ch. 151 |
| Montana Insurance Guaranty Association Act . . | Ch. 63 |
| Net insurance premiums, tax made permanent . . | Ch. 237 |
| Plan for state buildings authorized | Ch. 86 |
| Professional policies, notice of cancellation required | Ch. 14 |
| Professional policies, cancellation prohibited, when | Ch. 210 |
| Regulation of affairs of holding companies . . | Ch. 64 |

Index to Chapters

| | |
|---|---------|
| INTERDEPARTMENTAL ADVISORY COUNCIL | |
| Membership increased | Ch. 85 |
| INTERLOCAL COOPERATION | |
| Reporting date extended | Ch. 70 |
| INTERSTATE COMPACT ON MENTAL HEALTH | |
| Enacted | Ch. 112 |
| JURIES | |
| Exemptions from duty | Ch. 425 |
| Peremptory challenges reduced for six-person jury | Ch. 300 |
| Six-person juries authorized | Ch. 293 |
| LABOR | |
| Eight-hour day limitation for females eliminated. | Ch. 51 |
| Employment Agency Act enacted | Ch. 430 |
| Minimum Wage Act enacted | Ch. 417 |
| Quarterly report of alien employees, repealed . | Ch. 144 |
| Sex discrimination in employment, repealed . . | Ch. 39 |
| LAW ENFORCEMENT ACADEMY | |
| Site for | Ch. 331 |
| LEGISLATIVE ASSEMBLY | |
| Compensation and duties of employees | Ch. 1 |
| Members, reimbursement for expenses increased . | Ch. 4 |
| LIBEL | |
| Cable television, opportunity to correct before action brought | Ch. 58 |
| LIQUOR CONTROL | |
| Days liquor stores to be open | Ch. 62 |
| Liquor sample regulation | Ch. 72 |
| Outstanding indebtedness incurred by board, limitation | Ch. 77 |
| Resort liquor licenses authorized | Ch. 322 |
| Salaries of employees | Ch. 376 |
| LITTERING | |
| Hunting, fishing, camping privileges lost for conviction | Ch. 43 |
| Litter Control Law enacted | Ch. 323 |
| LIVESTOCK | |
| Hauling by owner without certificate permitted . | Ch. 275 |
| Inspection before sale to feeder purchaser . . | Ch. 149 |
| Livestock Dealer Licensing Act | Ch. 414 |
| Montana Consumer Loan Act amended | Ch. 233 |
| MANUFACTURED DAIRY PRODUCTS ACT | |
| Enacted | Ch. 413 |
| MARRIAGE | |
| Waiver of waiting period, authority of clerk of district court | Ch. 50 |
| MECHANICS' LIENS | |
| Bond of owner of real property substituted for . | Ch. 338 |
| Time for filing, notice of completion | Ch. 408 |
| MEDICINE | |
| Osteopathy included in practice | Ch. 203 |
| Dispensing of drugs and participation in profits by medical practitioners prohibited | Ch. 311 |

Index to Chapters

| | |
|---|-----------------|
| MILK CONTROL | |
| Marketing, pooling, financing, etc. | Ch. 107 |
| MINING | |
| Coal leases, exchange | Ch. 291 |
| Landowner Notification Act | Ch. 335 |
| Licensing and permits for, reclamation | Ch. 252 |
| Montana open cut or strip mined land reclama- tion Act | Ch. 224 |
| Occupational Disease Act, pneumoconiosis of coal miners | Ch. 190 |
| Safety laws updated | Ch. 310 |
| Strip coal mines, rates of license taxation . . . | Ch. 355 |
| MINIMUM WAGE ACT | |
| Enacted | Ch. 417 |
| MINORS | |
| Attendance at dance halls | Ch. 114 |
| See AGE, CHILDREN | |
| MONTANA CREDIT UNION ACT | |
| Amendments | Ch. 213 |
| MONTANA ENVIRONMENTAL POLICY ACT | |
| Enacted | Ch. 238 |
| MONTANA PESTICIDES ACT | |
| Enacted | Ch. 403 |
| MOSQUITO CONTROL | |
| Temporary pilot program in Milk River Valley . . | Ch. 186 |
| MOTOR CARRIERS | |
| See RAILROAD COMMISSION | |
| MOTOR VEHICLES | |
| Alcoholic content of blood for DWI | Ch. 132 |
| Certificates of ownership furnished by registrar. | Ch. 179 |
| Damage to property from auto accident, monetary amount to require report | Chs. 52, 55, 56 |
| Dealers' license plates for mobile special equipment dealers | Ch. 244 |
| Demonstration licenses of truck and trailer dealers, requirements | Ch. 209 |
| Destruction of registrar's unneeded records . . . | Ch. 214 |
| Driver's license, period extended | Ch. 288 |
| Fee for furnishing operating record | Ch. 381 |
| Free license plates to disabled veterans | Ch. 215 |
| Implied consent law | Ch. 131 |
| Junked, unlawful placement in streams | Ch. 319 |
| Licensing, rear window stickers, temporary . . . | Ch. 138 |
| Marking gross weight removed, payment for excess weight | Ch. 37 |
| Mobile homes, standards, regulation, inspections. | Ch. 348 |
| Motorcycle dealers number plates, issuance, fees, house trailer fees | Ch. 226 |
| Stud tires, requirements | Ch. 194 |
| Truck-trailers license fees, local service zones. | Ch. 212 |
| See HIGHWAYS | |
| OIL & GAS | |
| Unitization of pools for primary recovery of gas. | Ch. 150 |

Index to Chapters

| | |
|---|---------|
| OPTOMETRY | |
| Annual educational studies required | Ch. 79 |
| Optometric services included in public welfare. . | Ch. 155 |
| Registration fee increased | Ch. 75 |
| OSTEOPATHY | |
| Included as physicians. | Ch. 203 |
| PASSENGER TRAMWAYS | |
| Inspection, registration fees | Ch. 436 |
| PESTICIDES | |
| Montana Pesticides Act enacted | Ch. 403 |
| PHARMACY | |
| Intern position established, regulation and fees. | Ch. 241 |
| PRISONERS | |
| Sentence to Swan River youth forest camp | Ch. 367 |
| PROBATION OFFICERS | |
| Juvenile, salaries | Ch. 318 |
| Qualifications and salaries | Ch. 428 |
| PROFESSIONAL NEGOTIATIONS ACT FOR TEACHERS | |
| Enacted | Ch. 424 |
| PSYCHOLOGY | |
| Practice of, regulated | Ch. 73 |
| Psychologists included in treatment of injured | |
| workmen | Ch. 402 |
| PUBLIC EMPLOYEES | |
| Days off, substitution for holiday | Ch. 108 |
| Group health plans, employer's contribution . . . | Ch. 382 |
| Leave of absence for military training | Ch. 113 |
| Per diem for District of Columbia | Ch. 10 |
| Sick leave benefits | Ch. 93 |
| Vacation leave schedule | Ch. 121 |
| PUBLIC EMPLOYEES RETIREMENT SYSTEM | |
| Formula, contributions, allowances, amended . . . | Ch. 116 |
| PUBLIC HEALTH & SAFETY | |
| Ambulances, standards, regulation | Ch. 387 |
| Boilers and boiler engineers, regulation and | |
| licensing | Ch. 225 |
| Cesspool cleaning, validation of licenses, fees . | Ch. 76 |
| Intermediate care facilities defined | Ch. 197 |
| Jails, sanitary inspections | Ch. 336 |
| Local health officers, qualifications, communi- | |
| cable disease hospital administration | Ch. 196 |
| Occupational Health Act of Montana | Ch. 316 |
| Refuse disposal districting law | Ch. 136 |
| Sanitarians registration council Act in state | |
| board of health | Ch. 271 |
| Venereal disease, confidentiality of information. | Ch. 135 |
| Waste water operators board in board of health. . | Ch. 306 |
| PUBLIC UTILITIES | |
| Underground conversion of utilities law | Ch. 429 |
| PUBLIC WELFARE | |
| Aid to dependent children, county residence | |
| requirement removed | Ch. 90 |
| Aid to dependent children where father seeking | |
| work | Ch. 373 |

Index to Chapters

PUBLIC WELFARE (cont'd)

| | |
|---|---------|
| Aid to disabled, county residence | Ch. 379 |
| Aid to needy blind, county residence | Ch. 378 |
| Clothing and personal needs for dependent and neglected children | Ch. 264 |
| Emergency assistance of families included in aid to dependent children | Ch. 292 |
| Medical assistance, for persons in state institutions | Ch. 261 |
| Optometric services included | Ch. 155 |
| Old age assistance, county of residence | Ch. 294 |
| Silicosis, benefits to silicotics increased | Ch. 105 |
| Silicosis, disability defined, payment when persons in institutions | Ch. 360 |

RAILROAD & PUBLIC SERVICE COMMISSION

| | |
|--|---------|
| Common carrier motor transportation encouraged . . | Ch. 182 |
| Hauling livestock, permitted for owner without certificate | Ch. 275 |
| Motor carriers, certain exemption from certi- ficate requirements | Ch. 69 |
| Motor carriers, fines for violations | Ch. 68 |
| Railroad transportation, rate change requirements | Ch. 227 |
| Regulations and forms furnished at cost | Ch. 67 |
| Rules in conformity with U.S. Department of Transportation | Ch. 124 |
| Temporary motor carrier authority grants | Ch. 148 |

RECORDING

| | |
|--|---------|
| Abstracts of certain instruments allowed | Ch. 218 |
|--|---------|

REFERENDUM

| | |
|--|---------|
| Age and residence requirement for voting | Ch. 159 |
|--|---------|

RETAIL INSTALLMENT SALES

| | |
|---|---------|
| Definitions, includes bank credit cards | Ch. 416 |
|---|---------|

REVISED CODES OF MONTANA

| | |
|--|---------|
| Replacement volumes approved | Ch. 207 |
|--|---------|

SCHOOLS & SCHOOL DISTRICTS

| | |
|--|---------|
| Buses, stopping and slowing for | Ch. 45 |
| "Chapter 2" removed from § 75-8427 | Ch. 289 |
| Community college districts annexation of elementary districts by | Ch. 162 |
| annual budgets | Ch. 401 |
| baccalaureate degrees prohibited, organ- izing new districts | Ch. 407 |
| coordinator for | Ch. 406 |
| Community colleges, approval of propositions to organize | Ch. 164 |
| Community colleges, notice to trustees of special meetings | Ch. 163 |
| Compulsory attendance of child in discretion of district judge | Ch. 389 |
| Confidential relationship between student and school personnel | Ch. 61 |
| Drug and alcohol courses for teachers and education in schools required | Ch. 396 |

Index to Chapters

SCHOOLS (cont'd)

| | |
|--|---------|
| Educational TV, coordinated by superintendent of public instruction | Ch. 372 |
| Employment of attorneys by districts | Ch. 263 |
| Examination of extracurricular funds by state examiner | Ch. 349 |
| Fine for abuse of teachers increased | Ch. 100 |
| Foundation program, schedules and budget | Ch. 404 |
| Insurance of buses | Ch. 198 |
| Investment of endowment funds of districts | Ch. 342 |
| Payment of wages and salaries on direct deposit basis to banks | Ch. 341 |
| Population of first and second class elementary districts | Ch. 353 |
| Professional Negotiations Act for Teachers | Ch. 424 |
| Public, codification and revision of laws | Ch. 5 |
| Request for division of county into high school district | Ch. 44 |
| Special education programs for handicapped persons 21-25 years old | Ch. 122 |
| Special education programs, 7 or more children | Ch. 123 |
| Student body president on board of education | Ch. 352 |
| Teacher tenure statute corrected | Ch. 49 |
| Teachers, appeal from dismissal | Ch. 327 |
| Teachers conferences, attendance | Ch. 200 |
| Teachers' retirement contributions, interest, superannuation allowance | Ch. 57 |
| employer contribution, increase in benefits | Ch. 422 |
| Trustee barred from employment by district | Ch. 42 |
| Tuition at Twin Bridges High School for pupils from Children's Center | Ch. 109 |
| Tuition, payment by parents of children in institutions | Ch. 282 |
| Voluntary consolidation and annexation incentive plan | Ch. 125 |
| Western Interstate Commission for higher education, authority | Ch. 128 |
| See ELECTIONS, UNIVERSITY SYSTEM | |
| SENATE JOINT RESOLUTIONS | Ch. 92 |
| SILICOSIS | |
| Benefits to silicotics increased | Ch. 105 |
| Disability defined, payment when persons in institutions | Ch. 360 |
| SKI LIFTS | |
| Inspection, registration, fees | Ch. 436 |
| SNOWMOBILES | |
| Assessment, time for, tax-paid decals | Ch. 435 |
| Certificates of ownership, regulating operation | Ch. 434 |
| STATE BOARD OF LAND COMMISSIONERS | |
| Investment of funds in certain mortgages | Ch. 188 |
| Investment of funds in U.S. postal service and certificates of deposit | Ch. 269 |

Index to Chapters

| | |
|--|---------|
| STATE BOARD OF LAND COMMISSIONERS (cont'd) | |
| Investment of surplus funds of state treasurer . . . | Ch. 205 |
| See STATE LANDS | |
| STATE BOARDS & OFFICERS | |
| Annual report to Governor | Ch. 134 |
| Criminal investigation division in office of | |
| Attorney General | Ch. 219 |
| Department of administration, data processing | |
| and management systems | Ch. 313 |
| Escheated property Act, records and adminis- | |
| tration to board of equalization | Ch. 156 |
| Executive Reorganization Act of 1971 | Ch. 272 |
| Lieutenant Governor, travel expenses | Ch. 295 |
| Motor vehicle pool established | Ch. 320 |
| Purchasing agent, publication of solcita- | |
| tion for bids | Ch. 301 |
| Salaries of certain elected officials increased . | Ch. 314 |
| Secretary of state, fees for filing and recording | Ch. 185 |
| State treasurer, fiscal duties revised | Ch. 152 |
| Unclaimed property duties transferred from | |
| treasurer to state board of equalization | Ch. 216 |
| STATE CONSERVATION DISTRICTS LAW | |
| Enacted | Ch. 431 |
| STATE GOVERNMENT | |
| Adoption of modified accrual basis of accounting. | Ch. 267 |
| Capitol building and planning committee | Ch. 232 |
| Communications services, division placed in | |
| department of administration | Ch. 230 |
| Contractors' funds retained by state, sub- | |
| stitution of | Ch. 101 |
| Disaster and emergency fund established | Ch. 409 |
| Fiscal control and accounting procedures | Ch. 268 |
| Insurance of state buildings, plan authorized . . | Ch. 86 |
| Long-range building bonds, interest rate, | |
| amount, cigarette tax | Ch. 222 |
| Notification by state agency to legislative | |
| auditor of larceny or embezzlement | Ch. 270 |
| STATE LANDS | |
| Cancellation of leases by commissioner | Ch. 27 |
| Fees set by commissioner | Ch. 22 |
| Grazing preferences appurtenant, transfer | Ch. 24 |
| Triplicate receipts by commissioner eliminated... | Ch. 26 |
| STATUTES OF LIMITATION | |
| Professional negligence actions, time for | |
| commencing | Ch. 328 |
| Time limitation for bringing action arising | |
| out of design, construction, etc., work | Ch. 60 |
| TAXATION | |
| All-purpose levies of cities and towns | Ch. 375 |
| Aviation gasoline tax allocation, correction . . . | Ch. 13 |
| Aviation gasoline tax payment and refund removed . | Ch. 204 |
| Beer, \$3 per barrel tax made permanent | Ch. 421 |
| Bond issue for highway complex construction, | |
| gasoline license tax | Ch. 356 |

Index to Chapters

TAXATION (cont'd)

| | |
|---|---------|
| Cigarette tax increased | Ch. 222 |
| Classification of property, Class Five | Ch. 317 |
| Classification of property, Class Eight | Ch. 312 |
| Classification of property, co-operatives | Ch. 354 |
| Classification of property, freeport merchandise. | Ch. 35 |
| Corporation, alternative for nonresident | Ch. 16 |
| Corporation income, deducting of certain interest | Ch. 235 |
| Corporation income tax law | Ch. 82 |
| Corporation license tax made permanent | Ch. 333 |
| Corporation license, net operating loss deduction | Ch. 358 |
| Electrical energy producers, tax made permanent | Ch. 391 |
| Extension of time to file statement of railway | |
| freight car leases and payment of tax | Ch. 339 |
| Estate, nonresident apportionment formula | Ch. 28 |
| Fertilizer, assessment on | Ch. 397 |
| Fire insurance premiums tax | Ch. 110 |
| Gasoline license tax, allocation to cities, towns, | |
| and counties, amount expended without letting bids | Ch. 354 |
| Gasoline license tax, increase | Ch. 202 |
| Gasoline license tax, time for filing appli- | |
| cations for refund | Ch. 400 |
| Income, alternative for nonresidents | Ch. 15 |
| Income, deduction of certain interest income | Ch. 236 |
| Income, dividends from stock of banks exempt | Ch. 345 |
| Income, federal income tax deduction deleted | |
| from § 84-4908. | Ch. 357 |
| Inheritance, copy of order to state treasurer | |
| removed | Ch. 161 |
| Inheritance, payment monthly by counties to state | Ch. 36 |
| Inheritance, where paid | Ch. 34 |
| Levy for activities of the elderly | Ch. 380 |
| Metalliferous mines license tax, made permanent | Ch. 392 |
| Motor carriers additional tax of gross oper- | |
| ating revenue made permanent | Ch. 383 |
| Natural gas distributors license tax made permanent | Ch. 325 |
| Net insurance premiums, tax made permanent | Ch. 237 |
| Payment of operating expenses for collection of | |
| license fees deleted | Ch. 266 |
| Special fuel tax laws, correction | Ch. 12 |
| Special fuel users, out-of-state users, monthly | |
| tax returns | Ch. 277 |
| Store licenses, applications for | Ch. 160 |
| Strip coal mines, rates of license taxation | Ch. 355 |
| Support of state government for 1971, 1972 | Ch. 170 |
| Telegraph or telephone microwave equipment, | |
| apportionment to counties | Ch. 211 |
| Telephone company license tax made permanent | Ch. 326 |
| UNCLAIMED PROPERTY | |
| Duties transferred from state treasurer to | |
| board of equalization | Ch. 216 |
| UNDERGROUND COVERSION OF UTILITIES LAW | |
| Enacted | Ch. 429 |

Index to Chapters

UNEMPLOYMENT COMPENSATION

| | |
|--|---------|
| Benefit amounts fixed | Ch. 169 |
| Coverage extended, P.L. 91-373 | Ch. 117 |
| Deleting chargeback matters, P.L. 91-373 | Ch. 415 |
| Duration of benefits, P.L. 91-373 | Ch. 104 |
| "Employment" clarified and redefined | Ch. 411 |
| Payments within benefit year, payment of | |
| benefits based on certain services | Ch. 390 |
| Worker returning to labor market after injury . . | Ch. 38 |
| See EMPLOYMENT SECURITY COMMISSION | |

UNIVERSITY SYSTEM

| | |
|--|---------|
| Agricultural experiment station at Bozeman . . . | Ch. 29 |
| Charges for tuition and waiver of certain | |
| nonresident tuition | Ch. 432 |
| Emancipated minors, part-time students, in-state | |
| tuition classification, residence | Ch. 395 |
| Executive boards, authority | Ch. 351 |
| Indians, attendance at without payment of fees . | Ch. 350 |
| Montana Higher Education Code | Ch. 2 |
| Montana Law Enforcement Academy, site for . . . | Ch. 331 |
| Parking and operation of motor vehicles on grounds | Ch. 398 |
| Security departments, firearms for guards . . . | Ch. 405 |
| State university at Bozeman, building fees . . . | Ch. 223 |
| Student body president on board of education . . | Ch. 352 |
| Waiver of nonresident tuition | Ch. 286 |
| Waiver of non-resident tuition for students | |
| in mineral engineering | Ch. 231 |

VALIDATING ACTS

| | |
|---|---------|
| Bond Validating Act of 1971 | Ch. 208 |
| Deeds and conveyances defective in execution | |
| or acknowledge | Ch. 95 |
| Deeds and conveyances made by trustees, | |
| executors, etc. | Ch. 98 |
| Instruments affecting real property errone- | |
| ously executed or acknowledged | Ch. 99 |
| Joint tenancies without third party | Ch. 9 |
| Judgments or decrees of court affecting | |
| real property | Ch. 94 |
| Judicial sales of real property and sheriffs' | |
| deeds | Ch. 97 |
| Levies and elections for airport purposes . . . | Ch. 278 |
| Sales or dispositions of counties | Ch. 96 |

VENDING MACHINES

| | |
|---|---------|
| Possession of device to break into prohibited . . | Ch. 172 |
|---|---------|

VENUE

| | |
|---|---------|
| Filing of claim for direct payment of money | |
| in improper county | Ch. 176 |

VETERANS

| | |
|---|---------|
| Disabled, classification of property for taxation | Ch. 317 |
| Disabled, free motor vehicle license plates . . . | Ch. 215 |
| Fort Harrison, cession of concurrent jurisdiction | Ch. 157 |
| Veterans' welfare commission, employment of | |
| veterans | Ch. 92 |

Index to Chapters

VOCATIONAL REHABILITATION

Terms clarified and defined Ch. 192

WATER POLLUTION

Montana Water Pollution Control Act Ch. 21

WATERS & IRRIGATION

Floodways management and regulation Ch. 393

Ground water appropriation, filing for Ch. 307

Improvement districts for flood control and
water conservation Ch. 239

Irrigations districts, use of funds Ch. 137

Water conservancy district, time for preparation
of feasibility report Ch. 303

time for preparation of preliminary report . . Ch. 302

Water resources board, inspection of dams & dikes Ch. 370

WEAPONS

Concealed, park rangers allowed to carry Ch. 54

WEIGHTS & MEASURES

Apples, Orchard-run grade established Ch. 127

WHITE CANE ACT

Enacted for protection of blind persons Ch. 181

WITNESS FEES

Increased Ch. 332

WORKMENS COMPENSATION

Annual assessment of insurers increased Ch. 142

Assessment of annual payroll of employers
increased Ch. 143

Bonding requirement of employers increased . . . Ch. 141

Choice of insured of clinical psychologist . . . Ch. 402

Computing payrolls, inclusion of vacation periods Ch. 146

Contractor for public corporations, bound by

Plan 2 or Plan 3 of Workmen's Compensation Act. . . . Ch. 410

Coverage of employees, P.L. 91-373 Ch. 103

"Employee" definition extended Ch. 308

Healing period payments Ch. 140

Injured workman receiving training, payment of
expenses to Ch. 363

Limitation on medical benefits removed and

schedules of hospitals required Ch. 359

Loss of hearing from industrial noise Ch. 366

Occupational disease defined Ch. 41

Occupational Disease Act revised, pneumoconiosis

of coal miners Ch. 190

Occupational diseases, statute clarification . . Ch. 40

Rates increased for period of total temporary

disability Ch. 174

Rules governing election of officers of private

corporations Ch. 145

Unemployment compensation for worker returning

to labor market, lump sum payment computation. . . . Ch. 38

Week defined Ch. 175

FOR SECTIONS AMENDED, REPEALED AND ADDED, SEE BLUE PAGES.

STATE REPORTER

Box 749

Helena, Montana

KATHERINE ORCHARD

&

Jean Wilson

LEGISLATIVE REVIEW

1971

First Extraordinary Session

CHAPTER 1.....relates to the calling of a constitutional
Extraordinary convention, amending Chapter 296, Laws of
SB 6 Montana 1971, passed at the regular session;
changes the date of the special primary
Introduced by election to September 14, 1971 (the date
Constitution, of the special general election is November
Elections and 2, 1971); provides that the secretary of
Federal state certify to the registrars the name and
Relations description of each person nominated; pro-
Committee vides the convention may remain in session
as long as necessary; amends provisions for
schedule of legislation, for granting leave
for public employees as delegates; amends
provisions for appointing members and fill-
ing vacancies on the constitutional conven-
tion commission; restates the function and
duties of said commission; deletes provisions
permitting the commission to accept and expend
private funds, and amends provisions for
appropriations.

Effective upon passage and approval. Mar. 31.
Repealed effective June 30, 1973.

CHAPTER 2.....the Montana Administrative Procedure Act,
Extraordinary prescribing uniform procedures for state
SB 5 administrative agencies.

Introduced by Effective Dec. 31, 1972. Apr. 1.
Turnage

CHAPTER 3.....apportions the legislative assembly according
Extraordinary to the 1970 federal census.
SB 1

Repeals §§ 43-106.1, 43-106.2.

Introduced by Effective upon passage and approval. Apr. 6.
Lynch and
others

CHAPTER 4.....relates to laws relating to the location and
Extraordinary assessment work requirements upon mining
SB 7 claims, requires compliance with United States
mining laws, eliminates the location require-

Legislative Review 1971
First Extraordinary Session

Introduced by ment of sinking a discovery shaft, amends
Natural location certificate requirements and pro-
Resources provides for group assessment work upon con-
Committee tiguous claims.

Amends §§ 50-701, 50-702, 50-704.
No effective date.

Apr. 6.

CHAPTER 5.....relates to the corporation license tax,
Extraordinary amending Chapter 333, Laws of Montana 1971,
HB 39 passed at the regular session, clarifying
 the effective date by stating that the Act
Introduced by shall be effective for all taxable years
Ulmer ending on or after February 28, 1971.

Amends § 84-1501.

Effective upon passage and approval. Apr. 6.

Extraordinary...ratifies the proposed amendment to the
SJR No. 1 Constitution of the United States relating
 to the right to vote at 18 years of age.

Extraordinary...consents to the renovation of Donaldson Hall
HJR No. 1 at Northern Montana College, Havre.

Extraordinary...consents to the renovation of the Armory Gym
HJR No. 2 at Northern Montana College, Havre.

Extraordinary...consents to the construction of a petroleum
HJR No. 3 and engineering science building at the
 Montana College of Mineral Science and Tech-
 nology, Butte.

Extraordinary...consents to supplement the construction of the
HJR No. 5 renovation of the Health Service Building at
 the University of Montana, Missoula.

Extraordinary...consents to the construction of a sports com-
HJR No. 6 plex at Fort Missoula, University of Montana,
 Missoula.

Extraordinary...consents to the construction of a swimming
HJR No. 7 pool at the University of Montana, Missoula.

Extraordinary...consents to supplement the construction of
HJR No. 8 the addition and renovation of the fieldhouse
 at the University of Montana, Missoula.

Extraordinary...consents to the renovation of the Women's
HJR No. 9 Center at the University of Montana, Missoula.

Legislative Review 1971
First Extraordinary Session

Extraordinary..consents to the construction of an environ-
HJR No. 11 mental research center at Montana College
 of Mineral Science and Technology, Butte.

Extraordinary..consents to the planning and construction
HJR No. 12 of a physical education complex at Montana
 College of Mineral Science and Technology,
 Butte.

Sections amended or repealed, First Extraordinary
Session 1971

§§ 43-106.1, 43-106.2 repealed Extr. Ch. 3
§§ 50-701, 702, 704 amended Extr. Ch. 4
§ 84-1501 amended Extr. Ch. 5

STATE REPORTER

Box 748
Helena, Montana

KATHERINE ORCHARD

LEGISLATIVE REVIEW
1971

&
Jean Wilson

Second Extraordinary Session

CHAPTER Ex2-1....allows the investment of moneys belonging
HB 13 to the public school permanent fund and to
other permanent funds of the educational,

Introduced by
Bardanouve
and others

charitable and penal institutions of the
state, and all permanent funds subject to
the administration of the state board of
land commissioners under Article XXI of the
state constitution, to be invested in bonds
fully guaranteed by the United States as to
principal and interest.

Amends § 81-1001.

Effective upon passage and approval. June 15.

CHAPTER Ex2-2....the Outdoor Advertising Act providing for
SB 1 the control of outdoor advertising adjacent
to interstate and primary highway systems

Introduced by
Reardon and
others

in compliance with the federal Highway
Beautification Act of 1965.

Repeals §§ 32-4701 - 4714.

Effective upon passage and approval. June 24.

CHAPTER Ex2-3....provides for uniform and equitable treatment
SB 2 of persons displaced from their homes,
businesses, or farms as a result of federally

Introduced by
Flynn and
Dzivi

assisted programs, to establish uniform and
equitable land acquisition policies for fed-
erally assisted programs and to comply with
the federal "Uniform Relocation Assistance
and Real Property Acquisition Policies Act
of 1970."

No effective date.

June 25.

CHAPTER Ex2-4....increases the annual salary of district
SB 3 judges from \$19,000 to \$20,500, beginning
July 1, 1971

Introduced by
McKeon and
others

Amends § 93-303.

No effective date.

June 29.

Legislative Review 1971
Second Extraordinary Session

CHAPTER Ex2-5....allows county commissioners to transfer
SB 4 funds remaining in any of the several
county funds, except the school fund, not

Introduced by
McCallum and
others

budgeted at the end of a fiscal year, to
other funds as the commissioners deem for
the best interest of the county after a
public hearing; provides for notice of
such hearing.

Amends § 16-1904.

Repeals § 16-2048.

Effective upon passage and approval. June 29.

CHAPTER Ex2-6....authorizes the secretary of state to deter-
SB 5 mine the number of signatures needed for
nominating petitions of independent candi-

Introduced by
Turnage and
others

dates for the Montana House of Representatives,
the Senate and the Montana Constitutional Con-
vention.

Effective upon passage and approval
and until such time as the procedures
in § 23-3318, R.C.M. 1947, can be
followed.

June 29.

CHAPTER Ex2-7....increases the corporation license tax from
HB 38 6 and 1/4% to 6 and 3/4% for the taxable
period, effective for all taxable years

Introduced by
Christiansen
and others

ending on or after February 28, 1971; for
taxable years ending on or after February 28,
1973, the percentage of net income to be paid
under this Act shall be 6 and 1/4% of all
net income for the taxable period; in the
event a majority of the electors voting at
the November 2, 1971, referendum election
vote in the affirmative for the reduction
of the 40% income tax surtax to 10%, the rate
for corporate license tax for taxable years
ending on or after February 28, 1972, shall
be 6 and 1/4% of all net income for the
taxable period.

Amends § 84-1501.

Effective upon passage and approval. June 29.

CHAPTER Ex2-8....reapportions the legislative assembly to
HB 40 conform to the 1970 federal census; provides
for 50 senators, 100 representatives.

Introduced by
Fagg and
others

Repeals §§ 43-106.1, 43-106.2.

Effective upon passage and approval. June 29.

Legislative Review 1971
Second Extraordinary Session

CHAPTER Ex2-9....the "1971 Montana Revenue Act", providing
HB 12 for a referendum to be submitted to the
electors in November 1971 for a law which
Introduced by provides for the levying of a 2% sales and
Bennett and use tax to support state government, for an
others income tax refund or credit of \$10 for each
exemption for sales and use tax upon food,
drugs and related items, for an increase in
income tax surtax to 40% (from 10%) for the
calendar year 1971, for the continuance of
such surtax rate to December 31, 1972, if
the referendum fails.

Amends § 84-4902.1.
Section 40 (increasing surtax) effective
upon passage and approval.

Sales and use tax, if approved by a majority
of the voters, to be imposed upon all taxable
transactions on and after January 1, 1972.

July 1, 1971.

Sections amended or repealed, Second Extraordinary
Session 1971

| | | |
|----|------------------------------------|---------------|
| § | 16-1904 amended | Extr.2, Ch. 5 |
| § | 16-2048 repealed | Extr.2, Ch. 5 |
| §§ | 32-4701 - 4714 repealed | Extr.2, Ch. 2 |
| §§ | 43-106.1, 106.2 repealed | Extr.2, Ch. 8 |
| § | 81-1001 amended | Extr.2, Ch. 1 |
| § | 84-1501 amended | Extr.2, Ch. 7 |
| § | 84-4902.1 amended | Extr.2, Ch. 9 |
| § | 93-303 amended | Extr.2, Ch. 4 |

THAT DOES IT FOLKS.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud. The text also mentions the need for regular audits and the role of independent auditors in ensuring the reliability of the data.

2. The second part of the document focuses on the challenges faced by organizations in implementing effective internal controls. It highlights the complexity of modern business environments and the need for a robust framework of controls to manage risks. The text suggests that organizations should adopt a risk-based approach to internal control design and implementation, focusing on the most significant risks to the organization's objectives.

3. The third part of the document discusses the importance of transparency and disclosure in financial reporting. It notes that providing clear and concise information to stakeholders is crucial for building trust and confidence in the organization. The text also mentions the need for organizations to comply with relevant accounting standards and regulations, and to ensure that their financial statements are free from material misstatements.

| Financial Statement Data | |
|--------------------------|-----------|
| Item | Value |
| Revenue | 1,234,567 |
| Expenses | 876,543 |
| Profit | 358,024 |
| Assets | 5,678,901 |
| Liabilities | 2,345,678 |
| Equity | 3,333,223 |

4. The final part of the document provides a summary of the key findings and recommendations. It reiterates the importance of strong internal controls, accurate financial reporting, and transparency. The text also offers suggestions for how organizations can improve their financial management practices, such as by investing in technology and training, and by fostering a culture of integrity and accountability.